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## FOREWORD

This is Part IV of a comprehensive study, to be issued in eight parts, which, when completed, will cover American policy concerning the Soviet threats to Berlin, November 1958-December 1962. Each part is separately bound. Also separately bound is an Introduction which covers in broad sweep the developments between the final phase of World War II and the outbreak of the Berlin crisis in November 1958.

The study was requested by Martin J. Hillenbrand for the Berlin Task Force and the Bureau of European Affairs. The research and writing were done by Arthur G. Kogan.

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## Chapter I

**COMMUNIST PROPAGANDA AND HARASSMENTS AGAINST BERLIN'S TIES  
WITH THE FEDERAL REPUBLIC**

Khrushchev's statements after the collapse of the summit conference seemed to indicate that no unilateral Soviet moves against Berlin would be taken within the next six to eight months. Nevertheless, this period, which coincided with the final phase of President Eisenhower's administration and the American Presidential campaign, was not free from pressures with regard to Berlin. Generally speaking, these pressures were directed against the ties between Berlin and the Federal Republic, including East Berlin's remaining contacts with West Berlin and West Germany. At first these pressures took mainly the form of propaganda statements and even veiled threats by the Soviet Union. Eventually, however, these Soviet propaganda attacks were supplemented by acts of physical harassments executed by the East German regime with the aim of giving force to its claim that Berlin was on the territory of the GDR. For these reasons, one writer has characterized the post-summit conference phase of the Berlin problem a "cold war by proxy".<sup>1</sup>

### A. The Issue of the Bundestag Meeting in Berlin

## 1. American, German, and French Views

The first issue to arise was clearly anticipated. This was the matter of holding a West German Bundestag meeting in Berlin in September 1960. The Bundestag had met in Berlin annually since 1955. There were also annual meetings of the Bundesrat, the Second Chamber of the West German parliament. The Bundesversammlung (Federal Assembly) had met twice (1954 and 1959) in Berlin to elect the Federal President.

The GDR had protested the election of the Federal President in July 1959 and had since consistently attacked meetings of Federal assemblies in West Berlin and visits by members of the Federal Government to Berlin as "provocations."

<sup>1</sup>Hans Speier, Divided Berlin (New York, 1961), p. 114.

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[On June 13, 1960 an official of the German Embassy in Washington told Martin Hillenbrand, Director of the Office of German Affairs in the Department of State, that Hans Kroll, the German Ambassador in Moscow, considered a Bundestag meeting in Berlin that year inadvisable because he felt that any action in Berlin should be avoided which could provide the Soviet Union with a pretext for precipitating a crisis there. Hillenbrand remained noncommittal when the German official inquired about the attitude of the United States in this matter. But in a memorandum of June 15 to Kohler, Hillenbrand referred to the circumstances surrounding the meeting of the Federal Assembly in July 1959 (see Part II, Chapter V, section E, pp. 101-105) and emphasized that a similar situation must not be allowed to develop. If a meeting of the Bundestag in Berlin in the fall of 1960 was not advisable, it was the Federal Government's business to make the decision "and we would not wish to insist that such a meeting be held." But the Government of the Federal Republic, Hillenbrand stated, should not be permitted "to place on the Allies the onus for a decision which might be unpopular, particularly with the Berlin populace."<sup>1</sup>]

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On June 24 the Department informed the Embassy in Bonn that it had told the German Embassy in Washington that the advisability of a meeting of the Bundestag in Berlin in September was a matter essentially to be decided by the Federal Government [but that there were also some negative factors to be considered, as indicated by the German Ambassador in Moscow, "which might induce the decision not to hold meeting in Berlin this year."] In a letter of the same day addressed to William R. Tyler, Counselor of the Embassy at Bonn, Hillenbrand explained that there had been a certain amount of discussion on this subject in the Department and that [Ambassador Thompson, just back from Moscow, had expressed agreement with the view held by the German Ambassador in Moscow that anything which could precipitate a crisis should be avoided. Thompson had especially stressed that holding this meeting in Berlin might force Soviet policy in Berlin into even more undesirable channels.<sup>2</sup>]

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<sup>1</sup>Memorandum by Hillenbrand (GER) of conversation with Osterheld (German Embassy), June 13, 1960, secret; memorandum from Hillenbrand (GER) to Kohler (EUR), June 15, confidential.

<sup>2</sup>To Bonn, tel. 2725, June 24, 1960, secret; letter, Hillenbrand (GER) to Tyler (Embassy Bonn), June 24, secret.

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The Embassy at Bonn, in its reply to the Department's telegram of June 24, reported on June 30 that, even though the Council of Elders of the Bundestag had agreed in principle that a Bundestag meeting in Berlin should be held in the fall, many German political leaders felt that this was no time to exercise the undisputable right of the Bundestag to meet in Berlin lest the Soviet Union consider it a provocation. [In these circumstances, the Embassy felt, there was no need for the Western Powers to press the arguments against a Bundestag meeting in Berlin in the fall.<sup>1</sup>

While the German attitude in this question remained ambiguous, French Ambassador Hervé Alphand on July 8 expressed to the Under Secretary for Political Affairs, Livingston Merchant, France's opposition to the holding of a Bundestag meeting in Berlin, which, he said, might provide the Soviet Union with a pretext for taking "unpleasant" actions. Alphand suggested that one of the three Western Ambassadors, acting on behalf of all three, could perhaps tell the Germans that the Western Powers considered it a bad idea to have this meeting in Berlin.<sup>2</sup>

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## 2. Khrushchev's Threat: Western Reactions

The issue of the Bundestag meeting in Berlin suddenly took a new turn when Khrushchev during a press conference in Vienna on July 8 linked this issue with that of the conclusion of a peace treaty with the GDR. Referring to the reports that a Bundestag meeting would be held in West Berlin in September, Khrushchev declared that this was being done for purposes of provocation and that "perhaps the signing of a peace treaty with the GDR should be timed to the convening of the Bundestag in Berlin." In that case, he suggested, the Bundestag deputies would have to receive visas from GDR Premier Grotewohl "to be able to return home to Bonn from Berlin." A similar threat that the Bundestag meeting in West Berlin might coincide with the

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<sup>1</sup>From Bonn, tel. 2471, June 30, 1960, secret.

<sup>2</sup>Memorandum by McBride (EUR) of conversation between Merchant and Alphand, July 8, 1960, secret.

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signing of a peace treaty with the GDR was later made by Ulbricht in a press conference on July 19.<sup>1</sup>

The immediate effect of Khrushchev's Vienna threat was to increase the confusion and lack of unity on this issue in the Western camp. On the German side the question produced one of the not infrequent policy divergences between Berlin and Bonn or, put in other terms, between the Government camp and the Social Democratic opposition. In a meeting with the Allied Commandants on July 12, Mayor Willy Brandt expressed himself strongly in favor of holding the regular annual Bundestag meeting in Berlin. Moreover, according to West Berlin press reports, Brandt had sent Adenauer a letter on July 13 stating that there should be no yielding of Allied or Federal Republic rights in Berlin under Soviet threat. On the other hand, the U.S. Embassy at Bonn on July 14 cited information that Chancellor Adenauer in a recent cabinet meeting had urged that any and all acts in Berlin constituting a provocation should be avoided "without distinguishing between hitherto normal events (e.g., holding Bundestag sessions in Berlin), and initiation of new acts." On July 18 the Embassy in Bonn reported that German Defense Minister Franz Josef Strauss had told an Embassy officer that Adenauer had taken the position, regarding a Bundestag session in Berlin, that the Federal Government must avoid taking any action in Berlin "which would create difficulties for our Allies."<sup>2</sup>

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Initial British reaction to the Khrushchev threat, as reported by the Embassy in London, was that if the Soviet and East German leaders continued to use a threatening tone it would be essential to hold the Bundestag meeting in Berlin.<sup>3</sup> As for the French, on July 19 Alphand handed Merchant an aide-mémoire which stated that even before Khrushchev had made his threat it had been in the Allied interest to advise against a

<sup>1</sup>From Vienna, tel. 86, July 8, 1960, confidential; Bureau of Intelligence Research, Intelligence Report No. 8330, Aug. 25, 1960, pp. 2-3, secret.

<sup>2</sup>From Berlin, tel. 30, July 13, 1960, confidential; tel. 49, July 16, official use only; from Bonn, tel. 90, July 14, and tel. 127, July 18, both confidential.

<sup>3</sup>From London, tel. 156, July 11, 1960, confidential.

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[ Bundestag meeting in Berlin that year. Now, however, according to the French aide-mémoire, there was reason to fear the worst, and even if the Soviet Union did not go as far as to sign a separate treaty with the GDR it might permit the latter to impose new procedures for traffic between Berlin and the West or provoke an incident in the air corridors. The French expressed doubts that the Allies had any interest in preparing for a test of strength in a matter which was not indispensable to the maintenance of Western rights and therefore suggested that the three Allied Governments recommend to the West German Government a postponement of the Bundestag session in Berlin "until a later date." If, however, Khrushchev should assert that cancellation of the meeting was a sign of weakness, the three Governments, the French suggested, could issue a declaration reaffirming their rights and responsibilities in Berlin; if necessary, they could dispatch a high-ranking Allied personality to Berlin for the purpose of making such a declaration.<sup>1</sup> ]

Meanwhile, the United States had clarified its own thinking to the point of dispatching to Bonn on July 15 its "preliminary views" on the Bundestag session in Berlin in the light of Khrushchev's statements at Vienna.

The United States emphasized that meetings of the Bundestag and other representative bodies of the Federal Republic had been held solely at Bonn's initiative; that the three powers had long held that such meetings did not conflict with the special status of Berlin; and that these meetings had never endangered the security of Berlin in any way. Moreover, the United States believed that a Bundestag meeting in Berlin would provide the occasion rather than the cause for the conclusion of a separate peace treaty with the GDR by the Soviet Union. On the other hand, discontinuance on the basis of a Soviet threat to conclude a peace treaty of activities which hitherto had been considered normal would have a "serious adverse effect" on the Allied position in Berlin and the security of that city. The Soviet Union, the United States held, could not be allowed to overrule Allied decisions as to "what Federal activities are and are not compatible with special status of Berlin." Above all, the United States believed that the Western Powers could not afford to appear weak in the face of specific Soviet threats ]

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<sup>1</sup>To Bonn, airgram G-13, July 20, 1960, confidential.

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because it would undermine Berlin's spirit of resistance and jeopardize the faith in the Western Powers "on which not only maintenance of Berlin but also firmness of our alliance depends."

The United States took the position that if the authorities of the Federal Republic decided to cancel the meeting of the Bundestag in Berlin "we would probably not urge them to reconsider." But it also believed that it would be difficult to avoid the inference that moral support for Berlin by the Federal Republic was lessening and that its actions were unduly influenced by Soviet threats.<sup>1</sup>

### 3. Continued Allied Disagreement

When the American "preliminary views" were communicated to the British and French, the British Foreign Office indicated that it could accept the views pretty much "as they stood", emphasizing at the same time that the British Government was extremely reluctant to be placed in a position of giving advice to the Germans on that question. The French, on the other hand, stood by the position which they had communicated to Washington before, namely, of unqualified opposition to a Bundestag session in the fall.<sup>2</sup>

The British, attempting to breach the gulf between the American and French positions, proposed on July 27 a new formula regarding the Bundestag meeting. Starting from the assumption that if the Federal Government should ask the three powers for their opinion they should give similar replies, the British suggested that they should say something on the following lines: The matter was one for the Germans to decide; but a possible way out of the dilemma might be for the Bundestag, after the summer recess, to decide in principle on a meeting in Berlin during the current session while leaving the date undecided.

The French, who now apparently realized that they could never get American acceptance of their proposal of a tripartite initiative to dissuade the Germans from holding the meeting, rallied

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<sup>1</sup>To Bonn, airgram G-30, July 15, 1960, confidential.

<sup>2</sup>From London, tel. 357, July 20, 1960; from Paris, tel. 315, July 20; both confidential.

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behind the British proposal. On August 1 they informed the Department that they had accepted the British formula and would like the United States to accept it also.<sup>1</sup>

In a memorandum sent to the Secretary of State on August 2, the Department's Bureau of European Affairs pointed out that the British formula, while "ingenious", still did not meet the basic requirements of the situation. The Bureau outlined a new proposal for a tripartite position on the issue of the Bundestag session in Berlin which subsequently was approved by Secretary Herter and incorporated into an instruction to Bonn.

This instruction of August 11 indicated that the Department had already informed the British and French Embassies that the British formula in the matter of the Bundestag meeting did not "face up to basic issue and would not avoid giving impression that the Western powers were retreating before Soviet threats." The United States therefore suggested an appropriate tripartite position on the following lines:

a) The question whether or not a Bundestag meeting should be held in the fall is one for decision by the appropriate West German authorities.

b) Should the Federal authorities decide to hold the meeting in Berlin we would not consider it to be incompatible with Berlin's special status as an area under Allied occupation or that it would endanger the security of Berlin in such a way as to warrant "negative Allied intervention."

c) If the meeting is held in Berlin the occupying powers would ensure maintenance of public security in the city so as to permit the meeting to be held in an orderly fashion.

<sup>1</sup>Memorandum by Hillenbrand (GER) of conversation with Carter (British Embassy), July 27, 1960, secret; to Bonn, tel. 223, July 29, secret; memorandum by Hillenbrand (GER) of conversation with Lebel (French Embassy), Aug. 1, secret.

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The instruction finally stated that, if the British and French refused to accept the foregoing points a), b), and c), one might suggest to them that they agree to point a), which was preferable to the British-French formula.<sup>1</sup>

On August 16, during a visit to London, Merchant discussed the American proposal with the British, who admitted that there was a real difference of views inasmuch as the British preferred not to have a Bundestag meeting in Berlin in the near future. But the British did not want either to discourage or to encourage the Germans regarding this meeting, and they felt that the American proposal went too far in positively endorsing the meeting.

Following this discussion in London, the British proposed in Washington a new formula according to which the only advice given to the Germans by the three powers would be that the question of the Bundestag session in Berlin was one to be decided by the Germans. None of the three powers should volunteer any further advice. And since they disagreed with each other, they remained free to explain their own point of view informally to the Germans, if necessary, but they should resist doing this as long as possible.

The United States reaction was that it would be premature "to agree to disagree" and that there was still hope that a satisfactory tripartite position might be worked out.<sup>2</sup>

#### 4. Abandonment of Plans for the Bundestag Meeting

Hopes for an agreed tripartite position regarding the Bundestag meeting in Berlin faded gradually. Allied failure to reach agreement on this issue strengthened decisively the forces opposed to such a meeting, which had always been strong within the Federal Government and the CDU. On August 22 the Embassy in London reported that, according to British sources, Chancellor Adenauer, Bundestag President Gerstenmaier, and CDU parliamentary leader Heinrich Krone had agreed that without

<sup>1</sup>Memorandum from White (EUR) to the Secretary, Aug. 2, 1960, secret; to Bonn, tel. 291, Aug. 11, 1960, confidential.

<sup>2</sup>From London, tel. 821, Aug. 17, 1960; to Bonn, tel. 334, Aug. 18; both confidential.

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prejudice to the right to hold Bundestag meetings in Berlin none would be held until after the American elections. On August 31 the Embassy at Bonn reported that, according to Mayor Brandt, the Bundesrat would meet in Berlin in September "with little advance publicity"; Brandt had intimated that this would make it easier to postpone the Bundestag meeting by satisfying Berlin opinion that the Federal Republic would continue to exercise its rights to hold Federal meetings in Berlin. Finally, on October 20 a communiqué was issued that a conference between the Bundestag President and the chairmen of the various parties had unanimously reaffirmed the right of the Bundestag to meet in Berlin and had declared that the question of a date for a meeting would again be examined in December.<sup>1</sup>

In spite of this affirmation, no Bundestag meeting was held in Berlin for several years. It was only in 1965 that the Bundestag assembled once more in West Berlin. If Soviet and East German pressure seemed to have succeeded in preventing a Bundestag meeting in Berlin in the fall of 1960, it is also true that there was from the very beginning strong opposition to such a meeting within the governing circles of the Federal Republic and within the camp of the three Western Powers. The United States position on this issue was "harder" than the positions of its allies but not because it considered the principle involved as essential. The principal concerns of the United States in this matter were set forth clearly by Merchant in a conversation with Alphand on August 23. These were a) not to allow the Germans to place the responsibility on the allies, as they might do if they were advised against holding the meeting, and b) to avoid giving the Soviet Union the impression that the Western Powers were reacting "timidly" to Soviet threats.<sup>2</sup>

#### B. Attack Against West German Radio Legislation

Soviet action in this period was directed also against other manifestations--real or alleged--of the existence of ties between Berlin and the Federal Republic. In those other cases, however,

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<sup>1</sup>From London, tel. 991, Aug. 26, 1960, confidential; from Bonn, tel. 333, Aug. 31, confidential; from Bonn. tel. 589, Oct. 20, unclassified.

<sup>2</sup>Memorandum by Brown (EUR) of conversation among Merchant, Alphand, and others, Aug. 23, 1960, confidential.

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no Soviet pressures comparable to Khrushchev's threat in the matter of the Bundestag meeting were exerted. Rather, the actions of the Soviet Union were limited to propaganda statements, mostly in the form of exchanges with the Western Powers.

1. Western Reactions to Draft Radio Legislation

On June 29 the West German Bundestag passed and sent to the Bundesrat draft legislation establishing a German central radio network (Deutschlandfunk) which contained language designating Berlin as its administrative headquarters. Definitive adoption of the bill then depended on its passage in the Bundesrat.<sup>1</sup>

In a tripartite meeting held in Bonn on July 4, the French, relating the matter of the radio legislation to the issue of the Bundestag meeting in Berlin, expressed concern over an increasing tendency on the part of the Federal Republic and political circles in Berlin to press for ties between the Federal Republic and Berlin to a degree that entailed the risk of eroding the Allied position in Berlin and making the West vulnerable to the Soviet charge that the occupation statute of Berlin was no longer valid. Reacting to this report from Bonn, the Department expressed doubt that there was such a trend on the part of the Federal Republic or that the new radio draft legislation was incompatible with Berlin's special status. The Department also felt that passage of the bill in its existing form was problematical in view of opposition in the Bundesrat and lack of firm support by the Federal Government.<sup>2</sup>

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On July 7 the Embassy at Bonn reported that the British and French had told the West Germans in a quadripartite meeting held the previous day that, unless the provision establishing Berlin as the seat of the Deutschlandfunk was stricken from the bill, they would exercise their powers in the Allied Kommandatura to veto the application of the law in Berlin. According to the Embassy, the British and French would attempt to get American agreement to such use of Allied powers in the Kommandatura.<sup>3</sup>

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<sup>1</sup>From Bonn, tel. 17, July 2, 1960, confidential.

<sup>2</sup>From Bonn, tel. 29, July 5, 1960, secret; to Bonn, tel. 44, July 6, confidential.

<sup>3</sup>From Bonn, tel. 57, July 7, 1960, confidential.

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## 2. Soviet Attack and Western Replies

Meanwhile, on July 28, the Soviet Union sent identical notes to the three Western Powers protesting against the West German draft radio legislation, asserting that it was incompatible with the special status of Berlin and that it represented an open claim to Berlin by the Federal Republic. The Soviet Union declared that it did not recognize any West German laws relating to West Berlin and that it assumed that the United States,

<sup>1</sup>To Bonn, tel. 83, July 8, 1960, confidential.

<sup>2</sup>From Bonn, tel. 115, July 15, 1960, confidential.

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Britain, and France would not permit any action complicating the Berlin situation and creating additional obstacles to an agreed settlement of the question of West Berlin.<sup>1</sup>

Notwithstanding the previous differences among the three Western powers regarding the substance of the West German draft radio legislation, they were able to agree without great difficulties on a reply to the Soviet Union which was handed to the Soviet Government in the form of three separate notes on September 8.

The United States declared in its reply that it had already expressed its attitude in this matter in a note of December 15, 1959 sent in reply to a Soviet note of November 11, 1959 which had protested against the action of the West German Government in submitting to the Bundestag a draft law providing for a West German radio station, Deutschlandfunk, in West Berlin. At that time the United States had pointed out that what was involved was the establishment of a seat of the broadcasting institution Deutschlandfunk in West Berlin, not the erection of a radio transmitter. Therefore, the proposal for the establishment of Deutschlandfunk contained no features that were incompatible with the special status of Berlin.<sup>2</sup>

In addition to reaffirming these points made in the earlier note of December 15, 1959, the United States and its allies, in the notes of September 8, called the attitude of the Soviet Government the more unjustified as the East Zone authorities<sup>3</sup> operated several broadcasting stations in Berlin, and, moreover, interfered with normal broadcasting through jamming stations. Finally, noting the Soviet Government's expressed concern for the special status of Berlin, the United States pointed out that

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<sup>1</sup>From Moscow, tel. 245, July 28, 1960, official use only.

<sup>2</sup>For text of the Soviet note of Nov. 11, 1959 and the United States reply of Dec. 15, 1959, see Department of State Bulletin, Jan. 4, 1960, p. 7.

<sup>3</sup>On Sept. 19 the Soviet Foreign Ministry returned the United States note because of "incorrect designation of the German Democratic Republic" in this phrase; from Moscow, tel. 797, Sept. 19, 1960, official use only.

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the "essential provisions of this status" were constantly flouted by the Soviet and East German authorities who justified their actions by "false and provocative assertions that Berlin was on the territory of the German Democratic Republic."<sup>1</sup>

3. Passage of Radio Legislation without "Berlin Clause"

When the draft radio legislation was taken up by the Joint Committee of the two houses of the West German parliament, the clause designating Berlin as the seat of the Deutschlandfunk was deleted from the bill. The bill was passed in this amended form by the Bundestag on October 26, against the votes of the Social Democratic opposition, and by the Bundesrat on October 28, against the votes of the Social Democratic Laender Governments.<sup>2</sup>

It appears that the Federal Government helped to bring about the decision of the Joint Committee to delete the "Berlin" clause from the radio bill by intimating that the three Western Powers had decided to veto application of the radio law in Berlin if the clause designating Berlin as the seat of the Deutschlandfunk were retained. On October 27 the Department instructed the Embassy at Bonn to impress upon the West German Foreign Office that there had been no tripartite decision, as alleged, in this matter and that the position of the United States was expressed in the notes of December 15, 1959 and September 8, 1960 to the Soviet Union. The Embassy at Bonn replied on October 31 stating its belief that Foreign Minister Brentano and Ministerialdirektor Carstens had "loosely attributed to the three Allies positions which in fact [had been] only taken by the British and French". Later, the Embassy enlarged upon this theme by pointing out that, even though the United States had made it clear that it did not wish to interfere with the German legislative process in the matter of the radio law, the German Foreign Office might have felt that British and French opposition to designating Berlin as the seat of the new radio organization was sufficiently strong

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<sup>1</sup>Documents on Germany, 1944-1961, pp. 624-625; from Moscow, tel. 690, Sept. 8, 1960, confidential.

<sup>2</sup>From Bonn, airgram G-420, Oct. 27, 1960, limited official use; airgram G-444, Nov. 1, unclassified.

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[and explicit to justify the statement that the three powers would veto application of the law in Berlin.<sup>1</sup>]

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C. Soviet Exchange with the Western Powers Regarding  
Military Preparations in West Berlin

1. The Soviet Note of June 30

As part of its campaign against the ties between West Berlin and the Federal Republic, the Soviet Union in the summer of 1960 raised the issue of alleged military preparations by the Federal Republic in West Berlin.

On June 30 the Soviet Union addressed identical notes to the three Western Powers alleging that the Government of the Federal Republic was attempting "to utilize West Berlin for its military preparations", especially by "active recruitment" of West Berlin residents into the West German army and by setting up West German "military and civilian institutions" in West Berlin engaged in recruiting persons qualified for military service into the Bundeswehr. The Soviet Union also asserted that communications between Berlin and West Germany were being "illegally utilized" for the transportation of recruited contingents and that the Federal Government was attempting to subordinate the economy of West Berlin to the interests of West German rearmament. In this connection the Soviet Government, as on many other occasions, made the assertion that West Berlin was located "on the territory of the German Democratic Republic", never was included in the territory of the Federal Republic, and could not be governed by organs of the Federal Government. The Soviet Union declared that therefore the sole objective of the Federal Republic's efforts "to include West Berlin in the sphere of its military measures" was to inflame the situation in Berlin and Germany and bring on dangerous conflicts and that all this testified to the need for rapid conclusion of a peace treaty with Germany and "normalization on this basis of the situation in West Berlin".<sup>2</sup>

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<sup>1</sup>To Bonn, tel. 779, Oct. 27, 1960; from Bonn, tel. 635, Oct. 31, and airgram G-487, Nov. 10; all confidential.

<sup>2</sup>Documents on Germany, 1944-1961, pp. 615-616.

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## 2. Western Reply

The three Western Powers replied to the Soviet note on August 12. They denied that any recruitment for the Bundeswehr was taking place in Berlin or that there was any organization for conscription or registration of individuals for military service. Therefore, they declared, there could be no question of using Allied communications for transporting Bundeswehr recruits from Berlin to West Germany. The three Powers emphasized that if such situations had been found to exist in conflict with the special status of Berlin and with Allied responsibilities for Berlin the Allied authorities would have taken "immediate steps to remedy them."

The Allied Powers declared that such situations as the Soviet Union asserted to exist in West Berlin did indeed exist, however, in the Soviet sector of Berlin, and they referred in this context to the "bellicose demonstrations by East German military and paramilitary formations" on May 1, 1960 in the Soviet Sector of Berlin.<sup>1</sup> The three Western Powers also rejected the Soviet assertion regarding alleged subordination of Berlin's economy to the defense needs of the Federal Republic and pointed out at the same time that an ordinance providing for the provisioning of East German military forces had been published in the Soviet Sector contrary to Allied Control Council Law 43 prohibiting military production in Berlin. Finally, the three Western Powers reaffirmed their rejection of the Soviet assertion that Berlin was "on the territory of the German Democratic Republic."<sup>2</sup>

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<sup>1</sup>These East German demonstrations had already been the subject of a statement issued by the three Western Commandants in Berlin on May 1 deploring the "militaristic display" in the Soviet Sector of Berlin as "incompatible with the quadripartite status of Berlin" and as a "threat to public order". Text, British Cmd. 1552, Selected Documents on Germany and the Question of Berlin, 1944-1961, pp. 428-429.

<sup>2</sup>Documents on Germany, 1944-1961, pp. 621-622.

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D. East German Harassment of Civilian Access

1. East German Restrictions of August 30-September 4; Reactions of Western Commandants and West Germans

The Soviet propaganda campaign against real or alleged attempts to increase the ties between Berlin and the Federal Republic in the case of the Bundestag meeting, the radio law, and the so-called "military preparations", was followed at the end of August by a new phase characterized by active East German harassment of civilian access in violation of the quadripartite status of Berlin. The first occasion was provided by two meetings scheduled to take place in West Berlin between September 1 and 4, namely, the 6th Congress of returnees, prisoners of war, and kin of missing persons, and the "Day of the Homeland" (Tag der Heimat), a meeting of various organizations of refugees and expellees from the territories east of the Oder-Neisse line.

On August 29 the East German regime issued a declaration denouncing the "revanchist" meetings which were to take place in Berlin September 1-4 and stating that the GDR had decreed "necessary measures" to prevent the misuse of its territory and communications, "including the democratic part of its capital, Berlin", for "militarist and revanchist" meetings. The East German regime further asserted that the Western Powers bore responsibility for "revanchist incitements" and the consequences resulting from them. In this connection the East German regime also pointed out that "it was not permissible to misuse the air corridors for the transport of militarists and revanchists from West Germany to West Berlin", that the air corridors "were solely instituted for provisioning of the troops of the three Western Powers in Berlin", and that these Western Powers bore full responsibility for all consequences arising from the "misuse of air corridors for sending persons to provocatory meetings in West Berlin".

In implementation of this declaration, a decree concerning "entry of citizens of the Federal Republic into the capital of the German Democratic Republic" was issued by the East German Ministry of Interior on August 29. Under this decree citizens of the Federal Republic would be permitted to enter "the capital of the German Democratic Republic (Democratic Berlin)" only if

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they had valid permits issued by the East Germans. If they entered Berlin without such permits, they would be "held accountable in accordance with the penal code of the GDR".<sup>1</sup>

The Western Commandants immediately protested these announcements by the East German regime in a letter sent to the Soviet Commandant on August 31. The Western Commandants noted with "grave concern" the restrictions on "free access to Berlin and free movement within the city" and declared that these were in "flagrant violation" of the right of free circulation in Berlin and in "direct contravention" of the Paris Agreement of June 20, 1949 between the Western Powers and the Soviet Union. The Western Commandants also declared that it was a "gross usurpation of authority" for the East German regime to "presume to issue decrees affecting the Soviet Sector of Berlin" and that they would hold the Soviet authorities in Berlin responsible for any consequences "prejudicial to the peace and security of Berlin" which could result from such infringements.<sup>2</sup>

The East German regime proceeded to enforce the announced measures. At the check points, East German police (Vopos) turned away West German busses carrying passengers to the rallies in West Berlin as well as automobiles in which there were people whose documents indicated that they were born in territories beyond the Oder and Neisse. West Berlin and West German authorities in turn began to transport by air from West Germany to Berlin persons whom the East Germans had prevented from going to Berlin. West Berlin authorities were taking a serious view of the East German actions; Mayor Brandt believed that the East

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<sup>1</sup>From Berlin, tel. 105, Aug. 30, 1960, official use only. See also British Cmd. 1552, Germany No. 2(1961): Selected Documents on Germany and the Question of Berlin, 1944-1961, pp. 432-433.

<sup>2</sup>From Berlin, tel. 107, Aug. 31, 1960, confidential. While the text of the protest was not made public at the time, a tripartitely agreed press release was issued paraphrasing portions of the Commandants' letter; from Berlin, tel. 113, Aug. 31, confidential; Documents on Germany, 1944-1961, pp. 622-623. The whole letter was published later in British Cmd. 1552, Selected Documents on Germany and the Question of Berlin, 1944-1961, p. 433.

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Germans were testing Western reactions and suggested that a forceful Western protest be made at the ambassadorial level. On the other hand, Brandt felt that countermeasures would lead to more serious measures in turn and would be self-defeating.<sup>1</sup>

2. American Assessment, Tripartite Statement, and French Displeasure With Bonn

The United States Mission in Berlin on September 1 endorsed Brandt's proposal of a protest to be made on a higher level but also suggested "practical countermeasures" to be taken by the West Germans even though the West Berlin authorities were dubious about them. Among such countermeasures would be steps to discourage participation in the Leipzig Fair and also tighter controls over the travel of East Germans, particularly of Communist propagandists, to the Federal Republic.<sup>2</sup>

In a telegram of September 2, Ambassador Dowling pointed out that it was significant that the East Germans were acting as if a separate treaty were already in effect and as if the Soviet Union had actually turned over to them the control over access to Berlin. Even though he believed that the restrictions would be lifted on September 4, as announced, new restrictions "perhaps even more far-reaching" had to be expected if the East Germans should assume that Western reaction would be confined to protests. Dowling therefore proposed that a tripartitely agreed statement be issued setting forth clearly the Allied position regarding access; furthermore, the Federal Republic should make a statement indicating that there was a connection between interzonal trade and free access to Berlin. The Ambassador submitted a draft for a tripartitely agreed statement which was approved by the Department and released separately by the three Embassies in Bonn on September 3.<sup>3</sup>

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<sup>1</sup>From Berlin, tels. 111 and 114, Aug. 31, 1960, and tel. 119, Sept. 1, all confidential.

<sup>2</sup>From Berlin, tel. 120, Sept. 1, 1960, confidential.

<sup>3</sup>From Bonn, tel. 357, Sept. 2, 1960, secret; tel. 361, Sept. 2, confidential; to Bonn, tel. 425, Sept. 3, confidential.

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The statement issued by the United States followed the general line of argument of the letter of August 31 by the Western Commandants. It denied that the East Germans had competence to issue decrees applying to Greater Berlin, which "retains its quadripartite status resulting from the unconditional surrender of Germany", and therefore objected to the "inaccurate designation of the Soviet sector of the city as the 'capital' of the so-called 'German Democratic Republic.'" The United States also declared that East German interference with access to Berlin was in violation of the four-power agreements of May 4 and June 20, 1949.

With regard to the East German assertion that the air corridors between West Berlin and the Federal Republic were set up to provide for the Western garrisons in Berlin, the United States pointed out that the air corridors were established by quadripartite decision of the Allied Control Council on November 30, 1945 and were "no concern whatever of the East Zone authorities". There had been no change in the status of the three air corridors, and, consequently, the three Allied Powers "acknowledged no restriction on the use of the Berlin air corridors by their aircraft."<sup>1</sup>

Despite the public posture of Allied unity in the face of the East German encroachment, the French expressed unhappiness over the fact that the West Germans had failed to have prior consultation with the Allies regarding the meetings of expellees and returnees in Berlin. They therefore suggested to the Department that a tripartite démarche be made in Bonn expressing regret over this lack of prior consultation. The Department, however, when it informed the Embassy in Bonn of the French step, pointed out that any attempt to reassert occupation rights, which the Germans could interpret as interference with the "close and essential ties" that had developed between the Federal Republic and West Berlin, was both "impracticable and undesirable." The Department admitted that a fuller exchange of information about developments affecting Berlin would be desirable but emphasized the need to avoid the impression that the three powers would have to give specific approval to meetings held in Berlin or make decisions for the Germans "which are properly theirs."

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<sup>1</sup> Documents on Germany, 1944-1961, pp. 623-624.

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This, moreover, would be inconsistent with the position taken by the Western Powers regarding the Bundestag meeting and would "needlessly irritate West Germans and West Berliners."<sup>1</sup>

### 3. Lifting of Restrictions

#### Discussion of Countermeasures Against Future Encroachments.

When the period for which the GDR had imposed its announced restrictions on access to Berlin expired at midnight of September 4, the East German controls were lifted. All in all 1061 persons had been turned back, 699 of whom accepted the offer made by the West German authorities of free passage by air from West Germany to West Berlin. As for the meetings which had provided the pretext for the East German measures, they were held on September 4. The more important of the two, the "Day of the Homeland", was attended by about 15,000 people.<sup>2</sup>

Even before the lifting of the restrictions, the United States representatives in Berlin and Bonn had urged that the West should take further steps to emphasize its determination to resist East German encroachments. Accordingly, they suggested that the Chairman of the Western Commandants should express to the Soviet Commandant the seriousness with which the Western Powers viewed the actions of the GDR. Moreover, in order to stress this seriousness, one countermeasure should be imposed, namely, a suspension of the issuance of Temporary Travel Documents (TTD's), i.e., those documents needed by East Germans travelling to countries which did not recognize East German passports.<sup>3</sup>

On September 6 the Department indicated to the American representatives in Bonn and Berlin that it approved most of the suggested measures, although it favored a more selective withholding of TTD's which would mostly hit travel of East German officials. In addition, the Department stressed that the German

<sup>1</sup>

To Bonn, tel. 423, Sept. 2, 1960, confidential.

<sup>2</sup>

From Berlin, tels. 140 and 144, Sept. 5, 1960, both confidential.

<sup>3</sup>

From Berlin, tel. 130, Sept. 3, 1960; from Bonn, tel. 362, Sept. 3; both confidential.

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themselves must act "even if it causes them some discomfort." At the least, they should issue a statement regarding the connection between interzonal trade and free access to Berlin and they should also refrain from cooperating with the Leipzig fair.<sup>1</sup>

When West German State Secretary Karl Carstens on September 6 expressed to Ambassador Dowling the Federal Government's gratification over the prompt reaction of the Western Powers to the East German measures, Dowling took the opportunity to suggest, in accordance with the Department's instructions, that the Federal Republic issue a statement pointing to the connection between interzonal trade and Berlin access. Moreover, Dowling stated, the Federal Republic should act at this time so as to be in a position to take immediate retaliatory steps in the field of interzonal trade if the GDR should again restrict access to Berlin.<sup>2</sup>

Despite the lifting of the temporary restrictions imposed August 30-September 4, discussions among the Western Powers continued regarding countermeasures against future East German harassments. There was general agreement that such countermeasures should include the withholding of TTD's and West German retaliation in the field of interzonal trade. The three Western Powers also fully agreed on an additional tripartite démarche against the series of East German restrictions already carried out, to be made by the chairman of the Commandants in person with the Soviet Commandant.<sup>3</sup>

Tripartite Commandants' Protest. The démarche was executed on September 9 by General Lacomme, French Commandant and Chairman Commandant for that month. General Lacomme especially reminded the Soviet Commandant, General Zakharov, of the common responsibility of the four powers for peace in Berlin. He made it clear that the Western Powers were resolved to maintain their rights in Berlin.

<sup>1</sup>To Bonn, tel. 431 (to Berlin, tel. 116), Sept. 6, 1960, confidential.

<sup>2</sup>From Bonn, tel. 375, Sept. 7, 1960, confidential.

<sup>3</sup>From Bonn, tel. 387, Sept. 8, 1960; from London, tel. 1260, Sept. 10; both confidential.

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The Soviet Commandant asserted that the measures had been taken by the "sovereign" GDR; that he did not consider the Soviet Union an occupying power any longer; that the recent measures were designed to prevent revanchists from reaching Berlin; and that in any case the East German measures affected only Germans and not Allied forces. The Soviet Commandant also promised that he would make a written reply to the Commandant's letter of August 31. This reply was made public on September 13.<sup>1</sup>

The Soviet Commandant's letter of September 13, which rejected the protest of August 31 by the Western Commandants, merely elaborated the points made by General Zakharov to General Lacomme on September 9. It asserted that the GDR had "complete jurisdiction over the territory under its sovereignty" and that consequently measures taken against "militarists-revanchist" gatherings represented "lawful actions" taken in exercising these sovereign rights of the GDR. This letter was answered in turn with a brief restatement of the Western position regarding the status of Berlin, in a letter of September 27 sent by the French Commandant on behalf of the three Western Commandants.<sup>2</sup>

4. The East German Decree of September 8

While the Western Commandants were making their latest protest against the East German infringements of August 30-September 4, a new attempt by the GDR to impose restrictions on access to Berlin, this time without a time limit, was already under way.

On September 8, four days after the expiration of the previously imposed controls, the East German Ministry of Interior issued a "Decree Regulating Travel Between the Two German States" which stipulated that West German citizens entering East Berlin had to present special permits at the prescribed control points and that application for such permits had to be made at the offices

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<sup>1</sup>From Berlin, tel. 164, Sept. 9, 1960, official use only; tel. 166, Sept. 9, confidential.

<sup>2</sup>British Cmd. 1552, Selected Documents on Germany and the Question of Berlin, 1944-1961, pp. 436-437; Documents on Germany, 1944-1961, p. 628.

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of the Volkspolizei. Under the terms of this decree, permits for repeated visits to East Berlin within a period of time not exceeding three months might also be granted. The decree went into effect at midnight, September 9.<sup>1</sup>

At the time the East German decree of September 8 went into effect, West Germany's Vice Chancellor and Economics Minister, Ludwig Erhard, happened to be in West Berlin. He and Mayor Brandt immediately agreed that the current actions of the GDR were the beginning of a new series of moves against Berlin's ties with the Federal Republic, each of which, however, was designed to appear relatively unimportant so as to obviate a major reaction. Ambassador Dowling, in a communication of September 10 to the Department, concurred in this assessment by the German leaders and urged that a firm attitude be taken by the Western Powers; he pointed out that successive minor infringements could soon amount to de facto control of access to West Berlin by the GDR and would also "solidify the state frontier at the sector border." The Ambassador did not believe that measures considered so far, such as diplomatic protests with the Soviet Government or a suspension of TTD's, would be adequate to restore the status quo. The only other weapon readily at hand, he emphasized, would be a suspension of trade. But the Ambassador noted that the Federal Government, in quadripartite discussions, had expressed reluctance to use this weapon in retaliation for mere travel restrictions but had intimated a willingness to do so if the Western Powers decided that this was the appropriate action to take.<sup>2</sup>

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On September 13 the Department concurred in the Embassy's assessment of the situation, especially with respect to the need for firm Western reaction. [The Embassy was instructed to urge the Federal Republic to lead the way by taking counter-measures in the field of interzonal trade and East German transit trade through West Germany.<sup>3</sup>] Meanwhile, on September 13, the East German regime had issued a new decree according to which

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<sup>1</sup>From Berlin, tel. 154, Sept. 8, 1960, official use only.

<sup>2</sup>From Berlin, tel. 163, Sept. 9, 1960; from Bonn, tel. 396, Sept. 10, both confidential.

<sup>3</sup>To Bonn, tel. 481, Sept. 13, 1960, confidential.

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West German passports were no longer recognized as valid personal documents for residents of West Berlin. This, however, did not affect travel by West Berliners to West Germany, for which the East Germans continued to accept the West Berlin identity card as a valid travel document.<sup>1</sup>

5. Allied Protests Against the Decree of September 8: Soviet Reaction

The three Western Powers were in complete agreement that a strong tripartite protest should be made in Moscow against the East German decree of September 8. They quickly agreed on a text but disagreed on whether the note should be made public. The British informed the United States that Foreign Secretary Lord Home strongly opposed publication of the note. He reportedly believed that there was still a possibility of persuading the Soviet Union to intervene with the GDR but only if the Western Powers did not use the note for propaganda purposes. The United States favored publication of the note but reluctantly accepted the British position.<sup>2</sup> On September 12 identical notes were handed to the Soviet Government by the Ambassadors of the United States, the United Kingdom, and France.

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Referring to the East German decrees of August 30 and September 8, the United States declared that it had never recognized any limitation of the freedom of movement within Greater Berlin and that the latest East German attempts to control the movement of persons within Greater Berlin were a "grave violation of Berlin's four-power status." The United States also reminded the Soviet Union that it had never accepted the thesis that the eastern sector of Berlin formed part of the territory of the "German Democratic Republic" or that Berlin was "on the territory of the German Democratic Republic."

The United States pointed to the East German harassment of persons in transit to Berlin following the announcement of the decree of August 30 which resulted in the denial "without cause" of access to Berlin by rail or road to more than one thousand

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<sup>1</sup>From Berlin, tel. 180, Sept. 14, 1960, official use only.

<sup>2</sup>To Bonn, tel. 475 (to Moscow, tel. 534), Sept. 11, 1960, confidential.

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persons. Declaring that these actions constituted a violation of both the New York four-power agreement of May 4, 1949 and the Paris decision of the Council of Foreign Ministers of June 20, 1949, the United States expressed the expectation that the Soviet Union would fulfill its international obligations with respect to the "special status of Berlin" and prevent renewed East German violations of this status "or of existing agreements concerning freedom of access to Berlin." Finally, the United States pointed out that the recent East German restrictions "can only increase international tension and will, if repeated, result in a dangerous situation."<sup>1</sup>

Following the delivery of the Western notes, the United States and France continued to urge the British to agree to their publication, the more so as the East Germans had just published major portions of the Soviet Commandant's reply to the August 31 letter of the Western Commandants barely five hours after it had been delivered in Berlin.<sup>2</sup>

On September 26 the Soviet Union delivered its reply to the tripartite protest of September 12. The Soviet Union declared that "questions of movement" of the German population between the Federal Republic and East Germany could be "decided only by the German states themselves" and that the New York agreement of May 4, 1949, concluded in the period of the occupation of Germany, no longer applied. The Soviet Union accused the Western Powers of having not only taken no measures to prevent "revanchist activity" in West Berlin but also of having "illegally utilized the air corridors designated for taking care of the needs of their garrisons in West Berlin" to transport there from West Germany participants in the "revanchist" gatherings. Finally, the Soviet Union declared that the Western protest represented an effort "to interfere in the internal affairs of a sovereign government" and was directed at "increasing tensions in the center of Europe."<sup>3</sup>

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<sup>1</sup>Documents on Germany, 1944-1961, pp. 625-626.

<sup>2</sup>From Bonn, tel. 409, Sept. 13, 1960, and tel. 413, Sept. 14; from Berlin, tel. 179, Sept. 14; all confidential.

<sup>3</sup>From Moscow, desp. 218, Sept. 26, 1960, confidential; Documents on Germany, 1944-1961, pp. 626-628.

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Commenting on the Soviet note in a communication of September 28 to the Department, Ambassador Dowling declared that its strong wording suggested that the Soviet Union had no intention of exercising a moderating influence on the East Germans. He therefore felt that a firm Western reply was essential to warn the Soviet Union against taking action over the use of the air corridors. Dowling also recommended that the Soviet note be used as a basis for exposing the Soviet Union in the United Nations General Assembly and that every effort be made to institute a NATO-wide selective trade embargo against the GDR.<sup>1</sup>

The sharp tone of the Soviet note of September 26 undoubtedly precipitated the Western decision in favor of countermeasures in the field of trade as will be shown in a subsequent section of this study. A reply by the Western Powers was not delivered in Moscow until October 26, following prolonged discussions concerning the text of the reply. The Western Powers denied that the Soviet Union could withdraw unilaterally from its obligations under the agreements of May 4 and June 20, 1949 and, as in previous exchanges, rejected the claim that Berlin was on the territory of the GDR and that East Berlin was its capital. The Western Powers reasserted even more vigorously the statements made in their declarations of September 3 regarding unrestricted use of the air corridors between West Germany and Berlin. The United States note declared in this connection that any attempt "from whatever quarter" to introduce any restrictions would create a "dangerous situation" for the consequences of which the Soviet Government would be held fully responsible.<sup>2</sup>

This last United States note was not answered until January 7, 1961, when the Soviet Union, in an extremely brief communication, declared that it could not agree with the "assertion" put forward in the United States note and at the same time confirmed the position stated in the Soviet note of September 26.<sup>3</sup>

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<sup>1</sup>From Bonn, tel. 464, Sept. 28, 1960, confidential.

<sup>2</sup>Department of State press release 618, Oct. 27, 1960. This press release also made public for the first time the text of the American note of Sept. 12.

<sup>3</sup>From Moscow, tel. 1570, Jan. 7, 1961, official use only.

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## Chapter II

### ALLIED COUNTERMEASURES AGAINST EAST GERMAN HARASSMENT, SEPTEMBER 1960-JANUARY 1961

#### A. Withholding of Temporary Travel Documents (TTD's)

##### 1. Tripartite Discussion and Agreement

Since the beginning of the East German restrictive measures, the Western Powers had been in agreement that the diplomatic protests would have to be supplemented by retaliatory measures if the Communists were to be forced to lift these restrictions and to be discouraged from further encroachments. Withholding of Temporary Travel Documents (TTD's) required of East Germans for travel to NATO countries (outside the Federal Republic) was a weapon of retaliation which had been used against the East German regime in the past and which could be employed again. In fact, the method of issuing TTD's at the time the East German measures of August 30 and September 8 were put into effect was already characterized by restrictive features. In February 1960 the three Western Powers had introduced restrictive practices in the issuance of TTD's which were adopted by the other NATO countries the following month. They were aimed at excluding any East German visitors who were representatives of the East German regime and whose admission might be exploited for propaganda purposes.<sup>1</sup>

On September 10 the Allied (US-UK-French) Travel Office in West Berlin suspended the issuance of TTD's to all East Germans except emigrants and compassionate or humanitarian cases. This suspension was originally intended to last until September 14, since it was expected that by that time there would be a tripartite agreement regarding the terms for a longer suspension of TTD's.

It turned out, however, that reaching such an agreement was difficult. In tripartite and quadripartite discussions held in Bonn, the United States, France, and West Germany favored the suspension

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<sup>1</sup>

From London, desp. D-2668, Feb. 15, 1960, confidential.

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of the issuance of TTD's to all, except persons whose travel could be justified on humanitarian or compassionate grounds or as being in the national interest of one of the three powers or of a friendly government. The British, on the other hand, advocated broader categories for exceptions from the ban on TTD's, such as family visits, cultural and sports events, and private commercial travel. Later on, the British were willing to limit exceptions going beyond those agreed to by the other allies to travel for health and humanitarian reasons and visits to friends and relatives. They were also willing to agree to a careful screening of applicants so as to prevent attempts by SED members and GDR officials to circumvent the ban. The British position was based on a reluctance to take strong countermeasures against measures by the GDR which, while serious, were limited by comparison with those which might be taken against West Germany's communications with Berlin.<sup>1</sup>

British-American agreement regarding TTD's was reached only during the visit of Lord Home and key officials of the British Foreign Office to the United States in connection with the Fifteenth Session of the United Nations General Assembly. The results of this agreement were communicated to Bonn on September 19.

According to this agreement, the following categories of applicants would henceforth be refused TTD's: trade, transportation and communications, medical, scientists, professional, political, cultural, sport, press, tourism; also wives accompanying husbands on official travel.

With careful screening aimed at excluding all SED members and officials suspected of using false pretenses to circumvent the ban, TTD's would be issued in the following cases: visits to relatives and friends, reasons of health, emigration, compassionate reasons; also, in the case of contractual employment although definition of this category should be worked out in Germany.

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<sup>1</sup>From Berlin, tel. 167, Sept. 10, 1960, confidential; from Bonn, tel. 339, Sept. 10, tel. 414, Sept. 14 and tel. 418, Sept. 15, all confidential; unsigned EUR memorandum, "Supplemental Memorandum on TTD's and Note Publication," Sept. 17, secret.

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It was also agreed that TTD's should be issued on the basis of certain exceptions in the category of transportation and communication involving railway and postal employees attending conferences on railway schedules or postal tariffs, and railway attendants on trains going to Western Europe. Finally, TTD's would also be issued, in exceptional cases, to persons otherwise barred whose travel was certified to be in the national interest of one of the three Allied Governments or was specifically requested by a friendly government on grounds of national interest. (b)(1) (AS)

In communicating the terms of this compromise to Bonn, the Department stressed that it involved a major concession on the part of the British Foreign Office while the essential elements of the American position were maintained.<sup>1</sup>

The French accepted the Anglo-American compromise and, consequently, the tripartite agreed new system governing the issuance of TTD's went into effect on September 24.<sup>2</sup>

## 2. NATO Agreement

On October 11 the three powers informed the NATO Committee of Political Advisers of the agreement which they had reached among themselves and emphasized that the success of these counter-measures was dependent on the full cooperation of all NATO members. To achieve a common line of action, the Committee of Political Advisers drafted a paper setting forth its understanding of the tripartite agreement on TTD's which it forwarded to the North Atlantic Council on October 31.

This paper contained suggestions aimed at preventing the expansion of the personnel of the East German trade offices abroad and at limiting the use of the category of exceptions on grounds of "national interest." Regarding the latter category, the Committee suggested that it be used as infrequently as possible and not in such a manner as to increase the existing level of a country's trade with East Germany. In recommending approval of the tripartite agreement on the issuance of TTD's and of the

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<sup>1</sup>To Bonn, tel. 523 (to Berlin, tel. 144; to Paris, tel. 1222), Sept. 19, 1960, confidential.

<sup>2</sup>From Bonn, tel. 455, Sept. 24, 1960, confidential.

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section of this paper, and also as a result of the Federal Republic's initiative in taking retaliatory measures against the GDR in the field of interzonal trade. ]

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B. Economic Countermeasures

1. Denunciation of the Interzonal Trade Agreement (IZT)

American Pressure for West German Trade Countermeasures.  
The United States had realized all along that neither diplomatic protests nor restrictions on the issuance of TTD's alone were likely to force the East Germans to lift their restrictive measures but that economic retaliation by the Federal Republic might prove to be the most effective means of pressure on the East German regime. This idea had been brought to the attention of the West German Government, as has been shown, soon after the first East German encroachments following the decree of August 30.

At a meeting of the Western Ambassadors in Bonn with West German Economics Minister Ludwig Erhard on September 15, Ambassador Dowling urged that the time had come to move more forcefully with respect to trade sanctions against the East German regime and that the Federal Republic was in a position to act most effectively in this field. The British and French expressed reservations, arguing that it would be undesirable to invoke reprisals in the economic sphere against provocations in another sphere, namely, that of travel. Minister Erhard, for his part, observed that economic reprisals would have to be taken with great care and emphasized the vulnerability of West Berlin's supply lines in case of East German interference. In the end, a consensus was achieved that there had to be quadripartite agreement on the measures to be taken and that a quadripartite group should study the matter of trade restrictions.<sup>1</sup>

(b1)  
(AS)

The need for economic countermeasures by the Federal Republic against the GDR was also urged on Foreign Minister Brentano by Secretary Herter during the former's visit to the United States. In the course of a conversation on September 18, Herter pointed out that the "nibbling actions" by the GDR were aggravated by the fact that the East Germans claimed the right to engage in these actions. Brentano said that he could speak with the support of

<sup>1</sup>From Bonn, tel. 419, Sept. 15, 1960, confidential.

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the Chancellor in declaring that the Federal Republic would take any action with respect to trade which had the full support and cooperation of the Allies.<sup>1</sup>

The nature of the measures under consideration by the Germans became clearer a few days later when the Embassy at Bonn reported that the West Germans had stopped issuing export licenses for interzonal trade (Warenbegleitscheine) and that they were not taking any administrative measures to implement the Interzonal Trade (IZT) Agreement which had been signed August 16, 1960 and was to enter into force January 1, 1961. Thus, attention now centered on action or inaction under the new IZT Agreement.<sup>2</sup> The Embassy pointed out that, while deliveries to East Germany on the basis of export licenses already issued were continuing, the West Germans believed that the lack of expansion in deliveries would soon disturb East Germany's planning mechanism.<sup>3</sup>

On September 28 State Secretary Carstens of the German Foreign Office informed Ambassador Dowling that the Federal Government had decided that denunciation of the IZT Agreement would be the best countermeasure in the field of interzonal trade. The Federal Republic would denounce the Agreement on September 30 so that denunciation could become effective December 31, and it desired the approval of the Western Powers for such an action. Carstens said that consideration had been given to an immediate embargo of all shipments to the Soviet Zone, which, however, would create considerable legal problems. A selective embargo on critical items such as steel, machinery, and electronic products had actually been considered but was eventually judged to be impractical. Dowling stated that the step proposed by the Federal Republic was essential but still inadequate, and he

<sup>1</sup>To Bonn, tel. 524, Sept. 19, 1960, secret.

<sup>2</sup>From Bonn, desp. D-1640, May 8, 1961, unclassified, enclosing "Agreement Concerning Trade between the Currency Areas of the Deutsche Mark (DM-West) and the Currency Areas of the Deutsche Mark of the Deutsche Notenbank (DM-East)", signed Berlin, Sept. 20, 1951; annex 10, "Transitional Arrangement", Aug. 16, 1960; from Berlin, airgram G-81, Aug. 20, 1960, confidential.

<sup>3</sup>From Bonn, tel. 453, Sept. 23, 1960, confidential.

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urged reconsideration of the idea of a selective embargo on critical items. The Department, in a communication of September 28 to Bonn, likewise raised the question of the practical results, apart from the psychological impact, of a denunciation of the IZT Agreement which would not become effective until December 31. At the same time Ambassador Dowling was instructed to tell Chancellor Adenauer that delays in interzonal deliveries and a selective embargo on critical items would be desirable.<sup>1</sup>

On September 29 the Embassy reported that the West German Foreign Office expected considerable psychological impact from a denunciation of the IZT Agreement. Moreover, this step would make it easier to apply selective embargos and delays in deliveries. The German Foreign Office had also explained that trade would continue normal until December 31, after which date everything would depend on the Federal Government's actions in issuing export licenses on an ad hoc basis. The Department thereupon agreed to the denunciation of the IZT Agreement by the Federal Republic and expressed the hope that British and French concurrence could be obtained.<sup>2</sup>

French and British Reservations. It was apparent, however, that the British and French were reluctant to support this action contemplated by the Federal Republic. The French Foreign Office felt that the effect of this step would merely be psychological and that the whole question of reprisals should be studied first. As for the British, they informed the Department on September 29 that they would consider the denunciation of the IZT Agreement "ill-considered and ill-timed" and that this step might precipitate a crisis which otherwise might not develop within the next few months. Moreover, the British believed that this retaliatory weapon should be used only after further economic restrictions by the GDR. The Department's position with respect to these British views was that denunciation of the IZT Agreement was comparable to the rejection of quadripartite agreements and assertion of the authority of the GDR in the Soviet note of September 26. In a meeting of the North Atlantic Council on

<sup>1</sup>From Bonn, tel. 465, and to Bonn, tel. 586, both Sept. 28, 1960, secret.

<sup>2</sup>From Bonn, tel. 470, and to Bonn, tel. 597, both Sept. 29, 1960, secret.

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September 30, the British and French also maintained their skeptical attitude regarding the wisdom of economic counter-measures in retaliation for travel restrictions imposed by the GDR. Several NATO representatives supported a British proposal that, if the Federal Republic should decide to denounce the IZT Agreement, it should declare publicly at the same time that this was only a formal, legal, and preparatory step, not necessarily to be followed by any trade restrictions.<sup>1</sup>

Announcement of the Cancellation of the IZT Agreement. On September 30, the same day the NATO discussion took place and apparently before additional consultation with the Western Powers, it was announced in Bonn that the Federal Republic had decided to cancel the IZT Agreement of 1951 in its currently valid form as of December 31, 1960. The announcement emphasized, however, that the Federal Republic had decided on this cancellation "as a precaution" and that it was prepared to enter new negotiations regarding interzonal trade. Federal Press Chief Felix von Eckhardt elaborated on the official announcement in a press conference, stating that the Federal Government intended to apply no restrictions in current interzonal trade and that its objective was a new agreement by which threats against Berlin's life lines would be removed.<sup>2</sup>

According to additional information given to the representatives of the three Western Powers in Bonn by State Secretary Carstens, it appeared that no decision had yet been taken regarding current West German shipments to East Germany and that a possible embargo on shipments prior to December 31 was still under consideration. Carstens also mentioned the possibility that in a new agreement the Federal Government would try to enhance West Berlin's position by sending all exports to the GDR through West Berlin, i.e., along with ordinary shipments from West Germany to West Berlin. The State Secretary also told the Allied representatives that all parties in the Bundestag as well as Mayor Willy Brandt had supported the decisions on cancellation of the IZT Agreement.<sup>3</sup>

<sup>1</sup>From Paris, tel. 1309, and to Bonn, tel. 600, both Sept. 29, 1960, secret; from Paris, POLTO circular 1, Sept. 30, 1960, confidential.

<sup>2</sup>From Bonn, tels. 481 and 488, both Sept. 30, 1960, unclassified.

<sup>3</sup>From Bonn, tel. 489, Sept. 30, 1960, secret.

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British-American Disagreement Over Cancellation of the IZT Agreement. The British felt that there had not been sufficient consultation between the United States and Great Britain with regard to West German cancellation of the IZT Agreement. This point was made by Lord Hood, Minister of the British Embassy in Washington, in a conversation with Assistant Secretary Kohler on October 5. Lord Hood also stated on this occasion that the British did not like "to jump before looking", particularly in economic matters. Kohler, on the other hand, emphasized that the East German reaction indicated that the GDR had been taken aback. He suggested also that the main reason for the difference in the British and American approach to this question was that the United States was anxious to prevent any Soviet misjudgement of American firmness during the electoral campaign. If there was to be a crisis, the United States would be equally ready to have it in October or November as later. Despite these differences, however, Kohler and Lord Hood agreed that the Western Powers should proceed with the study of further economic countermeasures against the East Germans and coordinate such plans with NATO. (b) (u)

Complaints about inadequate British-American consultation in the matter of the cancellation of the IZT Agreement were also voiced by Foreign Secretary Lord Home in a conversation with Secretary Herter on October 7 in Washington. Home expressed concern over the fact that Ambassador Dowling had given the Federal Republic the "green light" to go ahead with its action without consulting with the British and French.<sup>1</sup>

## 2. The Question of Additional Economic Countermeasures

Reasons for Allied Opposition to Additional Measures. The United States, though pleased with the cancellation of the IZT Agreement by the Federal Republic, continued to press for additional economic countermeasures by the Federal Republic as well as by the other Western Powers. In this connection it should be pointed out that quadripartite discussions concerning economic countermeasures against harassment of civilian access

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<sup>1</sup>Memorandum by McSweeney (SOV) of conversation between Kohler (EUR) and Lord Hood (British Embassy), Oct. 5, 1960, confidential; memorandum Sec. Del. MC/11 from the Secretary 3 Delegation to the 15th United Nations General Assembly, of conversation between Herter and Lord Home, Oct. 7, secret.

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to Berlin had been carried on since the three Western Heads of Government and their Foreign Ministers had decided at Paris on May 18 that such planning should be undertaken. These discussions naturally received a new impulse when the East German decrees of August 30th and September 8th made harassment of access to Berlin a real and acute issue.

In October the Embassy in Bonn had to report, however, that the British and French were extremely reluctant to consider countermeasures likely to hamper trade and that the chances that the Allies might take economic countermeasures to convince the Soviet Union and the East Germans that "we mean business" were exceedingly remote. The Embassy saw the principal differences between the United States, on one hand, and the British, French, and West Germans, on the other, in the fact that the Allies took the position that denunciation of the IZT Agreement merely put the Federal Republic in a position to impose trade sanctions "if harassment against Berlin access takes place." But these three powers did not favor using trade sanctions at this time to force the withdrawal of recently imposed travel restrictions.

The United States Mission at NATO likewise commented on the lack of Allied unity in this matter and advanced the view that this disunity resulted from a fundamental difference in interpreting how far the Communists would go in eroding the Western position in Berlin while still avoiding cutting off access to Berlin. The United States Mission at NATO also mentioned the lack of a sense of urgency on the part of the Allies which was based on hopes for a settlement of the Berlin problem at the conference table, and the Mission pointed out, moreover, that economic counter-measures hit the Allies in the pocketbook and thus created domestic political problems.<sup>1</sup>

That differences regarding economic countermeasures were partly caused by different assessments of the seriousness of current Soviet-East German moves against Berlin was confirmed by a conversation between Ambassador Whitney and Prime Minister Macmillan on October 8. While the American Ambassador pleaded for effective and immediate economic countermeasures against the current Soviet drive against West Berlin, Macmillan expressed

<sup>1</sup>From Bonn, tel. 517, Oct. 5, 1960, confidential; from Paris, tel. POLTO 496, Oct. 6, secret.

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the view that no serious Soviet attack on the Western position was involved and that the recent harassments were still in the realm of isolated actions. Macmillan made clear that his assessment of the situation was influenced to a considerable degree by a recent conversation with Khrushchev in New York in which the Soviet Premier had stated that he did not intend to bring the Berlin situation to a head before next spring. It was the Ambassador's impression that Macmillan believed Khrushchev when he made this statement and also when he expressed desire for a summit meeting in 1961 after the change of administration in the United States. As for economic countermeasures as such, Macmillan declared that Britain as well as other countries would require additional legislation to institute serious countermeasures.<sup>1</sup>

On the basis of the reports received from its representatives at NATO and Bonn, the Department concluded that the other NATO countries would not accept economic sanctions "without a wider agreement on the underlying rationale for such action."

American Position. This conclusion was set forth in instructions sent to Bonn and USRO on October 10 reasserting the United States evaluation of the situation, an evaluation which differed considerably from the more optimistic interpretations of recent events favored by the Allies. The United States believed that the Soviet Union had embarked on a policy of gradually turning over its responsibilities with respect to Berlin to the East Germans in order to create "a situation of fact which will weaken the Western negotiating position." The Department pointed to the "new energetic role of the GDR", which was acting almost as if a separate treaty had already been concluded, and stated that this assertion of authority was more serious than the actions taken so far. The threat to Berlin could not be measured "solely by limited restrictions on travel thus far imposed", the more so as these actions had to be seen in conjunction with the Soviet note of September 26 (see ante, p. 25) in which the Soviet Union had supported the jurisdictional claims of the GDR. The Department emphasized, furthermore, the American position stated on previous occasions that there ought not to be any misconception about American firmness in spite of the electoral campaign. If there had to be a crisis over Berlin, it would be better to have it when the West was relatively strong rather than after Berlin

<sup>1</sup>From London, tel. 1721, Oct. 8, 1960, secret.

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had been "softened up" and the Allied position "eroded by creeping encroachment". The United States also felt that the Allies should not take it for granted that the Berlin problem could be settled at the conference table in a few months' time, considering that the next American administration was not committed to the idea of a summit meeting and that both Presidential candidates had stated publicly that they were not willing to meet with Khrushchev unless preparatory negotiations gave some reasonable prospects for progress. In any event, the United States believed that firm action now might well head off a serious crisis later.

Finally, the United States believed that quadripartite study of economic countermeasures should be expedited so that the powers would be prepared to react immediately and concertedly "with selective restrictions of increasing severity" when the next phase of harassments came, even if the Allies could not be persuaded to support trade countermeasures at this time.<sup>1</sup>)

### 3. Discussion of Economic Countermeasures Against Future Harassments

Despite Allied reluctance to apply stronger countermeasures against current East German encroachments, the quadripartite discussions of economic countermeasures against future East German harassments, which the United States wanted to see speeded up, had been carried on during September and October. On October 28, the quadripartite group in Bonn sent to the Department a draft paper on economic countermeasures which had been approved on October 25.

In forwarding this paper to Washington, the Embassy commented that in the discussions the British had attempted to include language which reflected their principal objections and reservations on this subject but that they had been opposed by the United States, France, and the Federal Republic. The main points raised by the British were as follows: 1) It was unlikely that the Western Powers could really inflict serious damage on the East German economy. 2) The main value of economic counter-measures being psychological, the goal, consequently, was to

<sup>1</sup>To Paris, tel. TOPOL 476 (to Bonn, tel. 665), Oct. 10, 1960, confidential.

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intimidate, not to inflict damage. 3) The narrower the range of the embargo, the more effective the enforcement. 4) Countermeasures should match, as nearly as possible, the measures taken by the East German regime. (b1)  
(b3)

As for the substance of the paper itself, Part I analyzed in detail the dependence of the East German economy on the West with regard to trade, finance, mutual participation in fairs and exhibits, activity of East German trade representatives in NATO countries, travel to Western countries, use of Western means of transportation and communication, and, finally, the role of the Trustee Office (Treuhandstelle) for interzonal trade, which was the only party on the Western side in any negotiations of interzonal trade with the East Germans. Part II analyzed the possible measures which the East German authorities might take against German civilian traffic to and from Berlin and against free circulation within Berlin.

Part III, the most important section of the paper, dealt with the various non-military countermeasures which, on the basis of this study, would appear to be damaging to the East German economy, "particularly if undertaken jointly by the NATO allies." In the field of East German trade with the West, these countermeasures were envisaged in five separate categories: 1) Measures laying a foundation for later action. 2) Restrictive application of existing controls over trade with the Soviet Zone. 3) Selective embargo from a group of the most important East German imports from the West. 4) Total embargo of industrial imports into the Soviet Zone. 5) Total trade embargo. Apart from trade countermeasures, part III of the paper also discussed countermeasures in the other fields listed in part I with respect to which East Germany was dependent on the West.<sup>1</sup> (b1)  
(b3)  
(b5)

In an instruction sent on November 23, in reply to a request from USRO for guidance on the paper on countermeasures, the Department suggested several points to be emphasized in discussions

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<sup>1</sup>From Bonn, desp. 566, Oct. 28, 1960, secret, with enclosed draft working paper, "Possible Non-Military Countermeasures to be Applied in the Event of Harassment of Civilian Traffic in Persons and Goods between the Federal Republic and Berlin and within Berlin by the Authorities of the Soviet Zone of Germany," secret.

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with NATO partners. The Department considered it possible for the United States to implement practically all measures proposed "except those obviously inapplicable to the United States". The Department directed USRO to stress the importance of a joint undertaking by the NATO countries as well as the necessity of avoiding any increase in trade with the Soviet Zone which might "compensate for the anticipated unavailability of supplies presently obtained from the Federal Republic".<sup>1</sup>

When the harassment situation seemed to ease up and there appeared to be hope for a resumption of IZT negotiations, most of the NATO allies were inclined to defer consideration of future countermeasures. This was brought out clearly in a meeting of the NATO Political Advisers on December 6. The Germans, however, while agreeing to delay proceeding with plans for countermeasures, pointed out that these plans were in preparation for future contingencies and did not relate to the question of the IZT Agreement.<sup>2</sup> The United States also emphasized the need for an extensive study of countermeasures and possibly for enabling legislation so that the alliance might be in a position to react promptly and in a united way to new East German harassments. It was finally agreed that the Allied governments should submit their views to the North Atlantic Council in January 1961.<sup>2</sup>

#### 4. East German Reactions to the Denunciation of the IZT Agreement

On October 8, soon after the denunciation of the IZT Agreement by the Federal Republic, the U.S. Mission in Berlin reported that, notwithstanding Allied skepticism, there were indications that the Western countermeasures had not been ineffective and that the East German planners were concerned over the effects of a break-down of interzonal trade on their economic programs. A moderate reaction by the GDR to the West German step and an expressed willingness to enter negotiations, according to the Mission, were signs pointing in this direction. But the Mission warned that the East German regime, faced with the prospect of a cut-off of all trade with West Germany after January 1, could be expected to shift its commercial orders to other countries,

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<sup>1</sup>From Paris, tel. POLTO 756, Nov. 23, 1960, confidential; to Paris, tel. TOPOL 770, Nov. 28, secret.

<sup>2</sup>From Paris, airgram POLTO G 851, Dec. 8, 1960, secret.

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including NATO countries, to improve its bargaining position in negotiations with the Federal Republic. One month later, on November 9, the Mission reported that the GDR seemed to be increasingly confident that crucial items formerly imported from West Germany would be obtained from NATO countries and other states outside the Soviet Bloc. The Mission stated that intelligence information confirmed claims by the GDR that commercial firms in NATO countries were sending representatives to East German trade agencies in East Berlin in increasing numbers. Likewise, on November 9, West German Foreign Minister Brentano told Randolph Burgess, United States Ambassador to NATO, most emphatically that the NATO nations must not fill the East German trade gap resulting from the denunciation of the IZT Agreement.<sup>1</sup>

Expressing concern over these reports, the Department instructed the Embassy at Bonn on November 10 to raise the matter with the German Foreign Office and to make a strong recommendation that the Federal Republic undertake a vigorous campaign in NATO to stop such a reorientation of trade. At the same time the Department instructed USRO to bring the reports regarding Western traders rushing to East Berlin to the attention of NATO and to state that the United States assumed that the members of the alliance would not undermine the Western position by raising their level of trade with the Soviet Zone.<sup>2</sup>

The Question of a New IZT Agreement. It soon became obvious that West German denunciation of the IZT Agreement had created sufficient problems for the East German regime to compel it to take an initiative toward the reopening of negotiations on inter-zonal trade. On October 21 the Mission in Berlin reported that the East German Ministry of Foreign Trade had sent letters to West German Economics Minister Erhard and to Mayor Brandt suggesting that trade negotiations should begin between the Federal Republic and East Germany and between West Berlin and East Germany. This report prompted the Department to set forth its views on a resumption of IZT negotiations in an instruction of October 29 to Berlin and Bonn.

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<sup>1</sup>From Berlin, tel. 256, Oct. 8, 1960, confidential; tel. 320, Nov. 9, secret; from Bonn, airgram G-481, Nov. 9, secret.

<sup>2</sup>To Bonn, tel. 865 (to Paris, tel. TOPOL 663), Nov. 10, 1960, secret.

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The Department proceeded from the assumption that, "because of the importance of predictability to a highly planned economy and the difficulty of payment problems", a formal IZT Agreement was more important to the Soviet Zone than to the Federal Republic. Consequently, the former was anxious for a new agreement. As for the procedure for new negotiations, the Department agreed with the position of West Germany and West Berlin that these should be conducted by the plenipotentiaries of the two currency areas to avoid improving the status of the East German regime.

In the Department's view, the optimum goal in any new negotiations would be a "carefully formulated" and explicit Soviet-East German guarantee of non-interference with West German access to Greater Berlin, including revocation of the decree of September 8. The Department conceded, however, that it would be unrealistic to expect a formal revocation of that decree. Therefore, the minimum goal should be a return to the conditions existing in August, "with at least implicit guarantee" of non-interference with access and non-implementation of the decree of September 8 so that movement to Berlin and within Berlin would be "essentially unrestricted."<sup>1</sup>

(b1)  
(a5)

The Department's views regarding negotiation of a new IZT agreement were discussed with the British and French, and subsequently with the Germans on November 4 in Bonn. While the British and French felt that these views were a useful basis for discussion, the principal comments were made by the Germans. These were as follows: a) Guarantees for access were a four-power responsibility; it was not the task of the Federal Republic to deal with this matter in the context of trade negotiations. b) Federal Press Chief Felix von Eckhardt's statement of September 30 made freedom of access to Berlin a precondition for any new agreement. c) The Federal Government had no intention of raising the level of negotiations, and these would therefore be conducted within the framework of the Trustee Office for negotiations between the two currency areas. The representative of the German Foreign Office also stated that there were differences of opinion within the Foreign Office as to what constituted a removal of the restrictions imposed in

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<sup>1</sup>From Berlin, tel. 286, Oct 21, 1960; to Berlin, tel. 222 (to Bonn, tel. 796), Oct. 29; both confidential.

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September. He said that Foreign Minister Brentano favored a strong interpretation, i.e., denunciation of the September 8 decree.<sup>1</sup>

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Incidents. In contrast to the restrictions imposed between August 30 and September 4, the East German decree of September 8 had generally not interfered with access to West Berlin even though it impeded access to the Soviet sector of Berlin. However, at the end of October there were several instances of interference with traffic between West Berlin and the Federal Republic, which may have been related to East German restlessness over the effective economic countermeasures taken by the Federal Republic.

At the end of October and in early November the East Germans began to interfere with trucks carrying electrical equipment manufactured in West Berlin to West Germany. Vehicles were detained and drivers held for interrogation on the basis of assertions made by East German officials that the equipment was destined for the Federal border police and therefore fell into the category of "war material". In one case, a shipment of teletype receivers by one firm, the Lorenz enterprise, was actually confiscated. During these detentions the East German officials had demanded documentation going beyond the usually required papers, such as copies of the original order to establish the "end-users" of the goods. The Mission in Berlin noted that this harassment was restricted to alleged war materials and that the GDR was seeking to emphasize that "normal" traffic to and from Berlin was not interfered with. The Mission felt that the incidents involving these trucks, while part of an East German campaign aimed at showing that West Berlin factories were engaged in "war production", might also represent blackmail tactics with the objective of instituting discussions regarding an IZT agreement. The reports by the Mission also quoted officials of the West Berlin enterprises involved as saying that the harassments might be isolated incidents connected with propaganda against alleged war production in West Berlin and that compliance with the requirement of supplying data on "end-users" might largely eliminate trouble for some time.<sup>2</sup>

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<sup>1</sup>From Bonn, tel. 669, Nov. 4, 1960, confidential.

<sup>2</sup>From Berlin, tel. 305, Nov. 2, 1960; tels. 307 and 310, Nov. 3; tel. 312, Nov. 4; tel. 317, Nov. 7; all confidential.

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C. East German and Soviet Concessions: Suspension of Western Countermeasures

1. Reinstitution of the IZT Agreement

Resumption of Negotiations. While the Western Powers were exchanging views regarding the objectives to be attained in negotiations for a new IZT agreement, the Federal Republic made a basic decision with respect to the opening of such negotiations. On November 10 Federal Minister of All-German Affairs Ernst Lemmer informed the U.S. Mission in Berlin confidentially that the Federal Government had authorized Dr. Leopold, the principal West German negotiator for matters of interzonal trade, to broach the issue of IZT negotiations at his next meeting with GDR officials.] The following day, November 12, the West Berlin newspaper Telegraf reported statements made by Chancellor Adenauer in an interview that a new IZT agreement would be achieved, that he had instructed the negotiators to be flexible, and that he would not insist on any "fixed preconditions". Information from intelligence sources received by American authorities indicated that the West German Cabinet had decided in favor of a new IZT agreement which would be combined with an additional agreement regarding civilian access to Berlin but that the latter had been opposed by Economics Minister Erhard and Minister for All-German Affairs Lemmer.<sup>1</sup>]

Perhaps as a result of these divergences of opinion within the West German Government, no instructions for negotiation of a new IZT agreement were issued to Dr. Leopold for some time. But on November 30 State Secretary Carstens of the West German Foreign Office informed the Embassy at Bonn that the Federal Government had authorized Dr. Leopold to begin negotiations for a new IZT agreement on December 2. The Cabinet decision, he said, was made partly on the basis of indications that the controls by the GDR were now being enforced "rather loosely." He also indicated that the Federal Government considered it impossible to secure in advance formal revocation of the restrictions imposed by the GDR although it hoped that the negotiations would produce something of this sort "either explicit or implicit".] The easing

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<sup>1</sup>From Berlin, tel. 322, Nov. 12, 1960, confidential; from Berlin, airgram G-222, Nov. 12, official use only; CIA field reports EGN 1126, Nov. 13, 1127, Nov. 16; both secret.

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Germans but not political ones. The Federal Government would now instruct Leopold to press for an acknowledgement in writing that the GDR would not enforce the decree of September 8.<sup>1</sup>

Leopold-Behrendt Agreement of December 29. On December 29 the negotiations were successfully concluded. Leopold and Behrendt agreed that the IZT Agreement of September 20, 1951 with all its annexes and supplementary agreements, including that of August 16, 1960, would be reinstituted as of January 1, 1961. At East German insistence, there was to be no communiqué, press conference, or any announcement going beyond the foregoing statement. Strictest secrecy was indeed observed concerning the specific terms of the agreement, which, according to the German Foreign Office, were known only to very few people. The Western Powers were informed about the basic facts of the arrangement by the West German Foreign Office; additional information was supplied to the Mission in Berlin by Dr. Leopold.

The most important provisions were laid down in a protocol. Of cardinal significance was a declaration by Behrendt that the GDR would not further implement the decree of September 8. The control of persons going from West Berlin to East Berlin would be abolished, and West German citizens found in East Berlin without permits would not be punished. In the view of the German Foreign Office, this declaration constituted a de facto abolition of the decree of September 8. Behrendt furthermore gave assurance that Berlin traffic, defined as involving both persons and goods between Berlin and West Germany in either direction as well as within Berlin, would continue in its existing form, i.e., uninhibited. The East Germans also made some minor concessions aimed at facilitating trade and traffic between the two currency areas.

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In addition to reinstituting the IZT Agreement, by letters exchanged between Leopold and Behrendt, the Federal Republic promised in the secret protocol not to put any difficulties in the way of those attending the Leipzig Spring Fair and not to harass East German trading companies in West Germany.

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<sup>1</sup>From Bonn, tel. 928, Dec. 19, 1960; from Berlin, tel. 374, Dec. 19; both secret.

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of GDR controls was also emphasized by the German Permanent Representative to the North Atlantic Council on December 2 when he informed the Council of the resumption of negotiations for a new IZT agreement.<sup>1</sup>

On December 15 the German Foreign Office informed the three Allied Embassies that Behrendt, the principal negotiator for the GDR, had proposed restoration of the old IZT Agreement with the modifications agreed to in August 1960 and that he had offered a number of concessions. The most important of these were that the decree of September 8 would no longer be enforced and that a guarantee might be given that there would be no hinderance to traffic just as there had been none during the past few weeks. In return, the GDR demanded that the Federal Republic should participate in the Leipzig Fair, assist in getting the ban on TTD's lifted, and promise better treatment of East German trade representatives in the Federal Republic.

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(A3)

The Department felt encouraged by the East German concessions and stated in an instruction of December 17 to Bonn that they represented an improvement over the status quo and therefore seemed to vindicate the effectiveness of countermeasures against harassment in Berlin. The Department also felt that concessions on all three demands by the East German regime, if "appropriately qualified", were feasible.<sup>2</sup>

In subsequent negotiations, however, the East German position stiffened somewhat, and the GDR's principal negotiator, Behrendt, made it clear that a de jure rescinding of the September 8 decree was out of the question. Moreover, he said, the GDR refused any further de facto concessions going beyond the current practice of applying the controls, and the Federal Republic would have to be satisfied with the existing lack of an effective enforcement of these controls. This meant, above all, that permits for entering East Berlin would be issued promptly. The West German Foreign Office informed the Embassy at Bonn that the Federal Government realized that it could obtain practical concessions from the East

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<sup>1</sup>From Bonn, tel. 814, Dec. 1, 1960; from Paris, airgram POLTO G 820, Dec. 3; both confidential.

<sup>2</sup>From Bonn, tel. 915, Dec. 15, 1960; to Bonn, tel. 1074, Dec. 17; both secret.

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According to information supplied by the West German Foreign Office, the East Germans had finally accepted the practice of revocable export licenses (Warenbegleitscheine) for certain goods providing also for compensation to West German firms in case of revocation. This matter was not written into the agreement and it had actually deadlocked the negotiations on the reinstitution of the ITZ Agreement almost up to the moment of signing. The East Germans finally accepted this provision when Dr. Leopold wrote a letter stating that the matter involved the internal affairs of the West German currency area and would not affect FGR-GDR commercial relations. The West German Foreign Office indicated to the Western allies, however, that the East Germans realized that "this is retaliation which we would use."

(b1)  
(b3)  
(a5)

The American representatives reported that the Federal Government was very pleased with the outcome of the negotiations and that it had therefore been willing to accept the East German demand for strictest secrecy regarding the terms of the agreement as "the price we had to pay to obtain our ends", as one German official put it.<sup>1</sup>

## 2. Renewal of Trade Agreement Between the Federal Republic and the Soviet Union

The satisfaction of the Federal Republic over the successful conclusion of the negotiations with East Germany was heightened by the fact that the reinstitution of the IZT Agreement coincided almost to the day with the renewal of the 1958 trade agreement between the Federal Republic and the Soviet Union. In the negotiations with the Soviet Union, however, the Federal Republic did not succeed in its maximum goal, namely, to obtain explicit Soviet recognition that the agreement also applied to West Berlin. The West Germans argued that recent developments had made it necessary to have more than a tacit understanding on this point as in the 1958 agreement. The Soviet Union even broke off negotiations when the Germans tried to obtain written confirmation of the agreement's applicability to Berlin. But following a meeting between the Chancellor and Soviet Ambassador Smirnov on December 28, a new formula was found which was

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<sup>1</sup>From Bonn, tel. 936, Dec. 21, 1960, secret; tel. 977, Dec. 30, official use only; tel. 979, Dec. 30, secret; from Berlin, tel. 382, Dec. 30, confidential; tel. 383, Dec. 30, secret.

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acceptable to both sides. According to information from the German Foreign Office, the Berlin question was dealt with by means of a letter from the German negotiator to the Soviet Ambassador which contained the phrase, "area of application of the new accord will not be different from the previous one." The agreement was signed on December 31.<sup>1</sup>

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(a3)

### 3. Assessment by American Representatives

Commenting on the satisfactory completion of the Federal Republic's economic negotiations with the East German regime and with the Soviet Union, Ambassador Dowling stated that these successes indicated the importance of German exports to East Germany and the Soviet Union even though Communist moderation might be part of a larger design by the Kremlin to impress the new American administration with its "reasonableness". The Ambassador also felt that the results vindicated the wisdom of the Federal Republic's denunciation of the IZT Agreement as well as the correctness of the American position regarding the importance of a firm Western response to the encroachments of August and September.<sup>2</sup> (Foreign Minister Brentano himself acknowledged in a conversation with Hillenbrand in early 1961 that he had been surprised by the effectiveness of the denunciation of the Interzonal Trade Agreement by the Federal Republic; he said that there were thus at the disposal of the Western Powers much more effective countermeasures than they perhaps had realized.<sup>3</sup>)

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(a3)

Comment by the Mission in Berlin was along similar lines. It emphasized in particular that the Communists had not expected such strong reaction to the East German harassments as the cancellation of the IZT Agreement. This action, the Mission believed, raised the spectre of such economic difficulties for the GDR and the Soviet Union that they were forced to abandon their plans for the time being. Although Khrushchev had

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<sup>1</sup>Memorandum from White (EUR) to the Secretary, "The Problem of Berlin and the Inter-Zonal and German-Soviet Trade Agreements", Dec. 30, 1960, no classification indicated; from Bonn, tel. 980, Dec. 30, secret; tel. 997, Jan. 5, 1961, confidential.

<sup>2</sup>From Bonn, tel. 979, Dec. 30, 1960, secret.

<sup>3</sup>Letter, Martin J. Hillenbrand to the writer, Aug. 11, 1966.

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announced his willingness to fill the expected gaps in deliveries,<sup>1</sup> all available evidence suggested, in the Mission's opinion, that the Soviet Union was unwilling to assume the economic burdens resulting from a breakdown of interzonal trade or the political burdens resulting from a new Berlin crisis.<sup>2</sup>

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4. Lifting of the Ban on TTD's

East German willingness, demonstrated in the negotiations for restoration of the IZT Agreement, to remove, for all practical purposes, the restrictions imposed under the decree of September 8 seemed to make it possible in turn to lift the retaliatory restrictions on the issuance of TTD's to East Germans. Thus, in an instruction of January 4, 1961 to Bonn, the Department declared that these restrictions should promptly be eliminated and the issuance of TTD's again be governed by the tripartite and NATO agreements of February and March 1960. The British, French, and West Germans favored this action in principle, but the West Germans suggested that relaxation of the ban on TTD's should take place in two stages. In phase I, TTD's would be issued to persons falling into the "Commercial" category while the other restrictions would be maintained. These restrictions would be lifted, however, in phase II, when it had become clear that the East Germans were really relaxing their controls. This West German suggestion was supported by the allies.<sup>3</sup>

As it appeared that some of the NATO allies were pressing for the speediest possible relaxation of the restrictions on TTD's and were even suggesting elimination of the milder restrictions adopted in March 1960, the Department in an instruction

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<sup>1</sup>According to an East German announcement following a Khrushchev-Ulbricht meeting in Moscow on Nov. 30, the Soviet Union had agreed to deliver to the GDR in 1961 necessary raw materials and goods in case the Federal Republic did not extend its IZT agreement with the GDR; from Berlin. tel. 345, Dec. 1, 1960, confidential.

<sup>2</sup>From Berlin, tel. 395, Jan. 9, 1961, confidential.

<sup>3</sup>To Bonn, tel. 1157, Jan. 4, 1961, confidential; from Bonn, tel. 1018, Jan. 9, confidential; from London, tel. 2784, Jan. 10, secret.

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of January 19 to Bonn expressed concern over the threat to NATO unity on this issue and over the possibility that NATO support for the continuation of the restrictions of March 1960 might even be jeopardized.<sup>1</sup> The Department therefore believed that the Western Powers might agree to revert on February 1 to the provisions established in March 1960.<sup>1</sup>

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It soon became obvious, however, that the West Germans were troubled by the lack of sufficient tangible proof that the East German regime would carry out the understanding reached on December 29. Therefore, they preferred to have the lifting of the TTD restrictions delayed. Existing distrust in the good faith of the East German regime sharply increased when the East Germans refused on February 12, 1961, under the terms of the decree of September 8 providing for controls at the sector boundary, to let prominent West German church leaders enter East Berlin. The three Western Powers thereupon notified the North Atlantic Council that they had decided not to relax the travel restrictions until further notice.<sup>2</sup>

But soon afterwards, on February 15, the East German regime informed Dr. Leopold, the principal West German negotiator, that the provisions of the agreement of December 29 were being implemented. At the same time the East Germans introduced measures easing entry into East Berlin. As a result of these steps the Federal Government took the position that a "visible change" in the implementation of the September 8 decree had actually taken place and that therefore, especially in view of NATO pressure, the pre-September 1960 practices in the issuance of TTD's should be restored. The Embassy in Bonn, in a telegram of February 27, supported the Federal Republic's suggestion.<sup>3</sup>

After the Department had concurred in this recommendation, quadripartite agreement was quickly reached. Then, in the meeting of the North Atlantic Council on March 3, the French

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<sup>1</sup>To Bonn, tel. 1243, Jan. 19, 1961, confidential.

<sup>2</sup>From Bonn, tel. 1254, Feb. 14, 1961, secret.

<sup>3</sup>From Berlin, tel. 442, Feb. 15, 1961; from Bonn, tel. 1328, Feb. 27; both secret.

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representative announced on behalf of the three Western Powers that, in consultation with the Federal Republic, the three powers had agreed to lift the existing TTD restrictions effective March 6 and to revert that day to the pre-September practice in the issuance of these documents.<sup>1</sup>

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<sup>1</sup>To Bonn, tel. 1485 (to Paris, tel. TOPOL 1185), Feb. 28, 1961; from Bonn, tel. 1362, Mar. 2; from Paris, tel. POLTO 1201, Mar. 3; all confidential.

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### Chapter III

#### GERMANY AND BERLIN AS ISSUES IN THE UN GENERAL ASSEMBLY, SEPTEMBER-OCTOBER 1960

##### A. Possibility of a Western Initiative on Germany in the General Assembly

##### 1. Quadrupartite Discussions

Uncertainty about Soviet intentions in the period following the abortive summit meeting and also concrete concern over Soviet-supported East German harassments in Berlin in August and September 1960 prompted the Western Powers to consider the possibility of raising the questions of Germany and Berlin in the 15th session of the United Nations General Assembly scheduled to convene in New York on September 19.

In a memorandum of September 9, Assistant Secretary Kohler suggested consideration of the possible advantages in inscribing an item on "the German question" on the agenda of the forthcoming UN General Assembly session. The failure of the summit conference and the renewed threats by the Soviet Union to conclude a separate peace might serve as an explanation for the delayed inscription of this issue on the agenda. This Western initiative would provide an opportunity for an attack on continued Soviet obstruction of a just solution of the German question.<sup>1</sup>

At the same time, however, the possibility had to be faced that the contemplated Western attack on Soviet policy might have to be staged as a counterattack against an initial Soviet move. West German Ambassador Grewe, in a conversation with Secretary Herter on September 9, expressed the view that the current harassments in Berlin might be the beginning of more dramatic Soviet moves, and he mentioned rumors that the Soviet Union intended to raise the Berlin issue in the General Assembly. Grewe conceded, however, that his Government did not have information that the Soviet Union actually intended to inscribe the

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<sup>1</sup>Memorandum from Kohler (EUR) to Wilcox (IO), Sept. 9, 1960, secret.

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issues of Berlin or Germany on the agenda. He thought it more likely that the Soviet Union would launch a broad attack against alleged German "militarism and revanchism" in the Assembly.<sup>1</sup>

The problems involved in raising some aspects of the German question in the General Assembly were discussed in Washington in a meeting of the Four Power Group on Germany Including Berlin. The Germans pointed out that the problem was how to combat Soviet proposals for a German peace treaty in the UN General Assembly without creating the impression that the United Nations had some competence in the German question. The French similarly stressed the danger of the three powers' losing control of the German question to the United Nations.<sup>1</sup> But the United States pointed to the fact that in 1951 the United Nations had unanimously supported a resolution demanding an investigation to determine whether existing conditions made possible the holding of free elections in Germany.<sup>2</sup> Kohler stated in this connection that the United States had been contemplating the possibility of inscribing an item regarding Germany on the agenda of the General Assembly and had now in mind an item on "Soviet actions threatening the peace" in which Soviet actions in Germany would be cited as an example. Such an item, Kohler said, would be particularly useful if the Soviet Union itself should place a similar issue on the agenda. He further suggested that, if the Soviet Union should raise the subject of Berlin, the Western Powers should seek a resolution which would call for the maintenance of the status quo in Berlin. It was finally agreed that the Four Power Group would seek the views of the British, French, and West German Governments prior to any further discussion of the subject.<sup>3</sup>

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## 2. American Position

The text of a draft resolution which the United States might wish to introduce in the General Assembly was sent to the American

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<sup>1</sup>Memorandum by Hillenbrand (GER) of conversation among Herter, Kohler, Grewe, and others, Sept. 9, 1960, secret.

<sup>2</sup>Apparently a reference to General Assembly resolution 510 (VI), Dec. 20, 1951; text, American Foreign Policy, 1950-1955: Basic Documents (Department of State publication 6446), II, 1795.

<sup>3</sup>Memorandum by McKiernan (GER) of meeting of Four Power Working Group on Germany Including Berlin, Sept. 15, 1960, secret.

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Delegation at the United Nations on September 22. The draft referred to the hindrance to peace resulting from the prolonged division of Germany, the denial of self-determination to the German people, which was contrary to the spirit of the UN Charter, and the failure of four-power negotiations on Germany; it called upon the powers to continue their efforts toward a solution of the German question based on the principles of self-determination and representative government, and also to refrain from actions incompatible with existing agreements or likely to retard further a German solution on the basis of the above-stated principles.<sup>1</sup>

But actual developments in the UN General Assembly forced the Western Powers to reconsider their tactics. Contrary to expectations, Khrushchev's address to the General Assembly on September 23 was devoted primarily not to an attack on the West Germans but rather to criticism of the policy and organizational structure of the United Nations.<sup>2</sup> In these circumstances, Kohler suggested to Grewe on September 26 that the West should for the time being avoid taking any action that would divert attention from Khrushchev's attack on the United Nations. But Kohler was still in favor of filing an agenda item relating to Soviet actions increasing tensions, which would include Soviet harassment of Berlin and thus enable the Western Powers to focus on Berlin and Germany and, possibly, to put forward a resolution on this subject. The manner in which this item would be brought up would depend on developments in the Assembly.<sup>3</sup>

B. Soviet Bloc Offensive Against the Federal Republic  
in the General Assembly

1. Soviet Bloc Attacks of September 27, the GDR Memorandum, and  
Western Reactions

In the end, the West was compelled to deal with the question of Germany by way of reacting to initiatives by the Soviet Bloc directed against the "militarism" and "revanchism" of the Federal

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<sup>1</sup>To USUN, New York, tel. 979, Sept. 22, 1960, secret.

<sup>2</sup>UN doc. A/PV. 869.

<sup>3</sup>Memorandum by Hillenbrand (GER) of conversation between Kohler (EUR) and Grewe, Sept. 26, 1960, secret.

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Republic. Attacks of this kind were delivered in the course of the general debate in the Assembly on September 27 by speakers of the Soviet Bloc countries, especially Rumania, Poland, and Czechoslovakia. Moreover, at the request of Czechoslovakia, a letter enclosing a GDR memorandum to the Secretary-General of the United Nations containing a proposal for "general and complete disarmament in both German states" was circulated as a United Nations document.<sup>1</sup> This memorandum also demanded that the GDR be permitted to present its proposal at the UN General Assembly.<sup>2</sup>

On September 28 the American Delegation to the United Nations was instructed to point out in discussions with other delegates that the GDR memorandum offered neither a satisfactory solution to the German problem nor a useful contribution toward a solution of the disarmament problem. The Department's instructions provided arguments against the specific proposals of the East German memorandum, one of which demanded the transformation of West Berlin into a "demilitarized free city." This, the Department pointed out, would deprive Berlin's population of protection now offered by the presence of Allied troops and was "clearly unacceptable" to the West Berliners. Apart from rejecting the substantive points of the GDR memorandum, the instructions reaffirmed the United States position that the GDR was not a lawful government and had no authority to speak for Germany in international affairs.<sup>3</sup>

An effective reply to the Soviet Bloc charges against the Federal Republic was given by Prime Minister Macmillan in the General Assembly on September 29. Macmillan stressed the obligations assumed by the Federal Republic with respect to the United Nations Charter and declared that there was no question of independent military action by the Federal Republic which might threaten peace since West Germany's defensive forces were part of an integrated Western alliance. On the other hand, Macmillan emphasized the arming of East Germany and the denial of self-determination to its people. Finally, Macmillan declared that the great problems of Germany's future and the

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<sup>1</sup>UN doc. a/4504, Sept. 23, 1960.

<sup>2</sup>From New York, tel. 815, Sept. 28, 1960, unclassified.

<sup>3</sup>To USUN, New York, tel. 524, Sept. 28, 1960, confidential.

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"difficult and delicate question of Berlin" should be solved "not by overriding and setting at naught international agreements" but by patient and honest attempts to reach agreement by negotiation.<sup>1</sup>

In a meeting of the Four Power Working Group on Germany held on September 30, the West Germans expressed their gratification over Macmillan's statements made in the Assembly. But they also voiced concern over the effects of circulating the Czechoslovak letter to the Secretary-General of the United Nations with the enclosed GDR memorandum. The West Germans, fearing that the Soviet Bloc might seek to have a GDR spokesman come to the General Assembly to explain the memorandum, suggested that the Federal Republic Observer at the United Nations should send a letter to the Secretary-General rejecting the assertion made by the GDR that there were two Germanies and reaffirming that the Federal Republic was the only spokesman for the German people. Moreover, the Germans desired that the three Western Powers should likewise address letters to the Secretary-General in support of the view that the Federal Republic was the sole spokesman for the German people. They proposed that all four letters circulate as UN documents.<sup>2</sup>

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At this meeting as well as in subsequent quadripartite discussions in Washington and New York, the British and French indicated their opposition to the proposals of the Federal Republic. They argued that the Czech letter itself had no effect, but that a response by the Federal Republic and the three Western Powers involved the risk of drawing the United Nations into the discussion of the German question and possibly of "ill-considered" proposals for its solution in the context of schemes for limited disarmament in Central Europe. The United States, however, believed that properly formulated letters need entail no risk

<sup>1</sup>British Cmd. 1552, Germany No. 2 (1961): Selected Documents on Germany and the Question of Berlin, 1944-1961 (London, H.M. Stationary Office), pp. 439-440.

<sup>2</sup>Memorandum by McKiernan (GER) of meeting of Four Power Group on Germany Including Berlin, Sept. 30, 1960, secret; to New York, tel. 558, Sept. 30, secret.

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[of an undesirable discussion of the German question in the United Nations.] It was agreed therefore to continue consultation in this matter.<sup>1</sup>

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2. "Joint Statement" of October 10 by the Soviet Union, Poland, Czechoslovakia, and the East German Regime

Meanwhile, however, the Soviet Bloc organized yet another attack on the Federal Republic in the United Nations. At the request of Valerian Zorin, Soviet Permanent Representative to the United Nations, a "Joint Statement" of October 10 by the Governments of Czechoslovakia, Poland, the East German regime, and the Soviet Union, "on the intensification of militarist and revanchist activities in West Germany", was circulated as a UN document. It contained the usual charges by the Soviet Bloc against the Federal Republic and, not unexpectedly, ended with an appeal to the peoples of the world to avert "the threat to peace emanating from German militarism and revanchism" and "to secure without delay the conclusion of a peace treaty with Germany."<sup>2</sup>

3. Western Reply to Soviet Bloc Attacks on the Federal Republic

The question of action to be taken in response to the circulation as official UN documents of the Soviet letter enclosing the "Joint Statement", and of the earlier Czech letter transmitting the GDR memorandum, was discussed in meetings of the Four Power Working Group on Germany on October 19 and 25. While the earlier meeting was inconclusive, agreement on a course of action, as stated below, was reached in the meeting of October 25, and appropriate instructions were thereupon sent to the American Delegation to the United Nations.

The United States, Britain, and France would make an oral démarche with Secretary-General Hammarskjöld. They would state that the circulation of the documents of September 23 (Czech

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<sup>1</sup>To New York, tel. 630, Oct. 8, 1960, secret; from New York, tel. 955, Oct. 11, secret; to New York, tel. 671, Oct. 13, confidential.

<sup>2</sup>UN doc. A/4540, Oct. 17; text, Documents on Germany, 1944-1961, pp. 629-632.

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letter) and of October 17 ("Joint Statement") was unfortunate but that they realized that the Secretary-General could not refuse to circulate documents at the request of representatives of member states. But the three powers considered that the purpose of these specific documents was to sow confusion about the German question and to enhance the status of the East German regime; they believed, moreover, that these earlier efforts might be followed up by direct requests addressed to the Secretary-General by East German representatives for circulation of documents emanating from the East German regime. The three powers were raising this question with the Secretary-General so as to give him an opportunity to reflect upon the dangerous precedent that would be involved in the circulation of such documents.

In the Four Power Working Group meeting of October 25, the United States and Britain also indicated that, in addition to the oral démarche, they favored circulation of Western letters in reply to the Soviet Bloc documents. But the United States and Britain were not yet in agreement on the procedural aspects of such letters, while the French continued to oppose any reply because of the danger of prompting a discussion of the problems of Germany and Berlin in the United Nations.<sup>1)</sup>

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The oral démarche was carried out on October 31 when the American, British, and French Delegates at the United Nations met with the Secretary-General. Hammarskjöld assured them "in the most positive terms" that there was no possibility that documents would be circulated at the request of the East German regime, and he also agreed that the thesis of two German states was dangerous and should be combatted wherever possible.<sup>2)</sup>

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As for a written reply, the Four Power Working Group agreed on November 16 on the text of a tripartite document which should be circulated in response to the Zorin letter. Three separate letters from the American, British, and French Representatives

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<sup>1</sup>To New York, tel. 720, Oct. 20, 1960; tel. 762, Oct. 26; memorandum by McKiernan (GER) of meeting of Four Working Power Group on Germany, Oct. 25; all confidential.

<sup>2</sup>From New York, tel. 1194, Oct. 31, 1960, confidential.

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to the United Nations were addressed to the Secretary-General on November 25 and delivered the following day.<sup>1</sup>

The Western document briefly summarized the Western position on the German question. It attributed the continued division of Germany to the Soviet Union's attempts to establish a Communist regime in the Eastern Zone, and referred to the rejection by the Soviet Union of proposals made by the Western Powers, most recently at Geneva in 1959, for the re-establishment of German unity on the basis of self-determination. The Western Powers also pointed out that the Soviet Government's refusal to negotiate on such a basis was "more revealing than all the protestations and accusations contained in the statement of October 10." In this connection the Western Powers indicated their approval of Prime Minister Macmillan's statements in the General Assembly on September 29.

The Western Powers referred to the declaration of October 3, 1954 by which the Federal Republic had undertaken to observe the principles embodied in the Charter of the United Nations.<sup>2</sup> They pointed out furthermore that the Federal Republic participated in a common defense organization whose structure and spirit made it impossible for any of its members to commit aggression. Finally, the Western Powers declared that the division of Germany was a matter of concern and regret but that the attempt of the East German regime to be acknowledged as "the Government of a so-called state" only served to prolong the crisis which Europe faced since the end of the war. In the view of the Western Powers, this crisis could be ended only by a solution "which respects the principles of freedom, tolerance, and self-determination."<sup>3</sup>

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<sup>1</sup>To New York, tel. 853, Nov. 5, 1960, and tel. 938, Nov. 18; from New York, tel. 1546, Nov. 26; all confidential.

<sup>2</sup>Text printed in American Foreign Policy, 1950-1955: Basic Documents (Dept. of State Publication 6446), I, 1481.

<sup>3</sup>U.N. doc. A/4595; text, Documents on Germany, 1944-1961, pp. 634-635.

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Thus, in a departure from earlier plans, letters to the Secretary-General of the United Nations in reply to the "Joint Statement" transmitted by Zorin constituted the principal action in the German question taken by the three Western Powers in the 15th United Nations General Assembly.

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#### Chapter IV

### POLITICAL PLANNING AND CONTINGENCY PLANNING WITH RESPECT TO BERLIN, JUNE 1960-JANUARY 1961

Although the Soviet pressures and harassments and the Western countermeasures described in the preceding chapter did not lead to a major East-West confrontation on Berlin, they helped to remind the Western leaders that the Berlin crisis had not abated, despite Khrushchev's statements after the collapse of the summit meeting that no Soviet moves against the Western position in Berlin would be taken within the next few months. Consequently, high-level American officials continued discussions among themselves and with the other Western Powers regarding the basic aspects of the Berlin problem, giving consideration to possible avenues for negotiations with the Soviet Union as well as to the ever-present threat to the Allied position arising from the possibility of a separate peace treaty between the GDR and the Soviet Union. Yet all these discussions were limited by the general realization that no radically new approaches on the part of the United States could be developed in a period of uncertainty and transition from one administration to the next. This uncertainty had yet another effect, namely, to lend a note of particular urgency to American concern about the problem of impressing the Soviet Union with the firmness of American intentions. It now became critically important to discourage any Soviet speculation that the electoral campaign and the impending change of administration might render the United States incapable of acting with vigor and speed. All these problems dominated the thinking and planning of American and Allied officials dealing with the Berlin problem in the period between the abortive summit conference and the end of the Eisenhower administration.

#### A. Political Planning

##### 1. Resumption of Discussion of "Solution C"

Policy Planning Staff Paper: Assistant Secretary Kohler's Comments. Late in June 1960 Secretary Herter approved a memorandum by the Policy Planning Staff setting forth a number of recommendations for American policy in various areas in the light of the situation created by the failure of the summit conference. According to point 10 of this memorandum, Berlin was still very much on the agenda and the Western negotiating position needed

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to be reviewed with this in mind. Khrushchev had offered at the most a few month's respite, and the Paris summit meeting might have been the last chance for negotiating an interim solution "hitherto regarded as the Western lowest common denominator." The memorandum raised the question whether, in these circumstances, the United States should not develop a negotiating position which it preferred, "e.g., a solution without time limit which would preserve the existing access procedures and Berlin status quo, except for a GDR take-over of existing access functions." The memorandum suggested that the current respite could be used to press that solution--which was the "Solution C" of the London Working Group of April 1959--vigorously with the Allies.<sup>1</sup>

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On July 6 Assistant Secretary Kohler submitted to Under Secretary Merchant his comments on these recommendations of the Policy Planning Staff. He outlined various possible courses of Soviet foreign policy, all of which involved either Soviet threats to take unilateral action on Berlin or the actual execution of these threats. Kohler then referred to the Allied contingency plans, which provided for possible stabilization of the access situation either by Soviet acceptance of the "agency principle", which was unlikely, or by Soviet acceptance of the procedures which the Western Powers would introduce with respect to land and air access to Berlin. After recalling the fact that "Solution C" was devised for possible negotiations with the Soviet Union, Kohler stated that he could envisage the following possible situations:

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1) If negotiations with the Soviet Union should take place prior to unilateral Soviet action against Berlin, an interim agreement of the Geneva type "unaccompanied by possible conditions" was hardly feasible. Nor was it likely that remission of the subject to a subordinate body for further discussion would be sufficient unless that body received specific instructions enabling it to work out the details of an agreement already broadly agreed upon which might be along the lines of "Solution C".

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<sup>1</sup>EUR note with initials SW to Hillenbrand (GER), June 28, 1960, enclosing excerpts from S/P memorandum, "A Fresh Start After Paris", secret. Regarding the London Working Group of April 1959, see ante, Part I, pp. 84-91.

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2) If formal negotiations should not take place, the question arose whether "Solution C" could be worked into the course of events prior to the execution of Western contingency plans. This would depend on the speed of Soviet action and on the possibility that the West would be able to introduce "Solution C" through diplomatic channels rather than at a formal conference with the Soviet Union.

3) Assuming that there would be no formal negotiations, there might also be the possibility of injecting the documentation procedures envisaged in Western contingency planning into the diplomatic exchanges with the Soviet Union at a point prior to that contemplated in the contingency plans. These procedures would then in fact become a subject for discussion with the Soviet Union in the course of which the Western fall-back position could be the acceptance of existing documentation procedures with or without the formal exchange of declarations envisaged in "Solution C".<sup>1</sup>

Deputy Under Secretary Merchant's Views. On November 2 Merchant communicated to Kohler his own conclusions regarding the principal points of Kohler's memorandum of July 6, as follows:

a) In any negotiations with the Soviet Union in the foreseeable future, the objective of a Geneva-type interim agreement was neither realistic nor achievable.

b) The signing of a peace treaty with the GDR by the Soviet Bloc within the next 12 months had to be accepted as inevitable. This possibility was not to be regarded as "catastrophic", however, unless the Western Powers themselves made it such by their statements and position.

c) "Solution C" or a similar arrangement, if negotiable, would enable us to live with the signature

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<sup>1</sup>Memorandum from Kohler (EUR) to Merchant (M), July 6, 1960, secret.

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of a separate peace treaty" and would make possible the continued existence of a free West Berlin.

d) It would be desirable for the United States to take the initiative in seeking to reopen negotiations with the Soviet Union, preferably "quietly through diplomatic channels." This, however, would probably not be practicable before the coming into office of the new administration. Yet preparatory work could be done if the foregoing conclusions were accepted within the United States Government and by the Allies.<sup>1</sup>

Assistant Secretary Kohler's Memorandum of November 17. On November 17 Kohler addressed a memorandum to Merchant in which he stated that much thought had been given to the ideas expressed by Merchant regarding negotiations on Berlin and particularly to the possible use of "Solution C" as a basis for the Western position.

Kohler recalled that when "Solution C" was originally developed by the London Working Group in April 1959 neither the British nor the French had been enthusiastic about it and that they had never given their full concurrence to the actual use of this formula in negotiations with the Soviet Union. A stream-lined version of "Solution C" had been included in the tactics paper for the summit conference which was approved by the four Western Foreign Ministers on April 13, 1960 (see ante, Part III, p. 66) and this was as far as the Allies had wanted to commit themselves in this matter. "Solution C" was devised as a proposal to be advanced only "in extremis" since it involved some accommodation to the GDR "despite verbal and legal safeguards".

Kohler assumed that there would be at least one more round of formal discussions before the Soviet Union took unilateral action. In these discussions, he said, the West would advance the revised proposal for an interim arrangement approved by the Western Foreign Ministers in Paris on May 14, 1960, while the Soviet Union would presumably put forward something similar to the proposals which it had handed to the French on May 9, 1960

<sup>1</sup>Memorandum from Merchant (M) to Kohler (EUR), Nov. 2, 1960, secret.

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(see ante, Part III, p. 94 ). These proposals were obviously irreconcilable, but negotiations would continue until it became clear that there was no basis for agreement on an interim solution. Nevertheless, it would be necessary and desirable to prove by actual exchanges in the course of a conference that such an agreement could not be achieved. If the West, however, submitted a proposal involving "Solution C" at the beginning of such a conference, the Soviet Union might interpret it as a sign of Western weakness and try to press for something much more favorable to its own ultimate objective. But as a Western fall-back position "Solution C" might provide the basis for a modus vivendi under which the basic Western position might be maintained.

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Assuming that the foregoing was true, Kohler felt that little could be gained by opening up discussion of "Solution C" before a new American administration had come into office. He believed that it would be best if the Department formulated its best thinking on the subject for the benefit of the new President and his Secretary of State.

At the end of his memorandum Kohler raised a question which was much on the mind of American leaders and officials in this period, namely, how Western determination to resist Soviet Bloc pressure on Berlin could be made credible to the Soviet Union, particularly in view of the existing thermonuclear stalemate and of growing doubt that the United States would use its strategic threat "to deter actions other than direct attack on the United States itself."<sup>1</sup>

## 2. American Concern over Soviet Miscalculations

Soviet Memorandum on Berlin Handed to Austrian Foreign Minister. The question touched upon by Kohler as to how to impress the Soviet Union with the firmness of Western resolution had been given a great deal of attention by American officials ever since the failure of the summit conference had again raised the spectre of a new East-West confrontation over Berlin. Moreover, it seemed to be most important to prevent any Soviet miscalculations regarding American capacity to react with vigor and speed even during

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<sup>1</sup>Memorandum from Kohler (EUR) to Merchant (M), Nov. 17, 1960, secret.

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an electoral campaign and a change of administration. It has already been shown how these considerations determined American reaction to Soviet and East German attacks against the relations between Bonn and West Berlin in the matters of the Bundestag meeting, the draft radio law, and the harassments of traffic to Berlin.

To remind the Soviet Union of Western firmness regarding Berlin became even more urgent in the light of certain developments in connection with Khrushchev's visit to Austria in July 1960. Khrushchev's threats with respect to plans for a Bundestag meeting in West Berlin have already been dealt with in that context. But his Austrian visit provided the Soviet Premier also with an opportunity to apply pressure in a somewhat more sophisticated manner than by off-the-cuff remarks.

American representatives reported information received from Mayor Brandt to the effect that Khrushchev had told Austrian Foreign Minister Bruno Kreisky (a close friend of Brandt's) that Brandt and the Berlin Senate had an incorrect picture of the Berlin situation and Soviet intentions. Khrushchev therefore had Gromyko hand Kreisky a memorandum regarding these matters for transmittal to Brandt. Brandt, however, in order to observe the proper procedures, had asked Kreisky not to send him the memorandum directly but to have it transmitted through the Government of the Federal Republic.<sup>1</sup> A German text of Gromyko's memorandum was also shown to Ambassador Matthews in Vienna who forwarded it to the Department in an English translation.

Substantively, the memorandum had hardly anything new to offer. It re-stated the Soviet Union's intention to proceed, in the absence of an agreement on a free-city status for West Berlin, with a separate peace treaty with the GDR. The true purpose of the memorandum was clearly expressed in the following assertions: By relying on the strength of the Western powers, Brandt was "building on sand" and might easily miscalculate, because the Soviet Union would react with military force to any attempt to use force against the GDR. In spite of the expectation of some people that the United States would go to war over the conclusion of a German peace treaty, "it is not easy today to decide to be

<sup>1</sup>From Berlin, tel. 35, July 14, 1960; from Bonn, tel. 113, July 15; tel. 114, July 15; all confidential.

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first to start the fire of a rocket or nuclear war." And if war should break out, even the "biggest hotheads" would have to take into account that the means of defense at the disposal of the Soviet Union could transform "even remotest objects on the territory of the aggressor into fire and ashes." Moreover, the British and French would hardly favor a war for the sake of West Berlin knowing so well what nuclear war would mean to their countries.

In this approach to the leaders of West Berlin the Gromyko memorandum used not only threats but also flattery. Asserting that normalization of the West Berlin situation was the "touchstone for political maturity" of the leaders of West Berlin, the memorandum predicted that the latter would gain significant prestige if they contributed to the settlement of the Berlin question on the basis of negotiations between the interested states.<sup>1</sup>

In an instruction sent to Vienna on July 23, the Department characterized the Gromyko memorandum as nothing but a re-statement of the Soviet proposal for a "free city" of Berlin. While the Department made it clear that it did not wish to encourage the Austrian Foreign Minister to act "as an intermediary with the Soviets on this question", it also felt that it would be useful if Kreisky conveyed to the Soviet Ambassador his impression of American determination and firmness with regard to Berlin.<sup>2</sup>

Question of a Statement Regarding American Determination.  
The doubts regarding Western firmness expressed in the Soviet memorandum given to Kreisky only served to stress the need for preventing Soviet miscalculations of that kind. A memorandum of August 3 by the Bureau of European Affairs summarized the following alternatives for dispelling Soviet misapprehensions regarding Western firmness:

1) Ambassador Thompson might be instructed to deliver to Khrushchev a "firm oral message" from President Eisenhower warning the Soviet leader not to harbor any illusions that the United States might lack the capacity to carry out a firm policy with respect to Berlin.

<sup>1</sup>From Vienna , tels. 156 and 158, July 18, 1960, both secret.

<sup>2</sup>To Vienna, tel. 161, July 23, 1960, secret.

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2) A communication, not intended for publication, from the President to Khrushchev reaffirming American determination.

3) Public statements by the two presidential candidates, Senator John F. Kennedy and Vice President Richard M. Nixon, which would remove Berlin as an issue in the campaign and express a common determination to maintain Western rights in Berlin.<sup>1</sup>

Secretary Herter apparently did not favor any of these suggested alternatives and in the end decided to deal himself with the matter by means of a public statement at his press conference on August 9. Referring to the illusion current in some quarters that the United States "becomes paralyzed or semi-paralyzed" during a Presidential election period, the Secretary declared that "nothing could be further from the truth" and that "the United States--the President--can act just as quickly and forcefully during an election period as at any other time." In support of his statement, the Secretary cited several recent examples of America's capacity to react fast and vigorously during a Presidential campaign, and he warned that no one should mistake for a sign of weakness "what is instead a sign of strength."<sup>2</sup>

3. NATO Ministerial Meeting, December 16-18

American Background Paper. The general trend of American and Allied thinking regarding the problems of Berlin and Germany at the end of 1960 is reflected in an American paper prepared for the NATO Ministerial meeting held in Paris, December 16-18, and, of course, also in the statements made in the course of this meeting.

The American background paper on "Berlin and German Reunification" proceeded from the statement that Soviet threats against the freedom of access of Western forces to Berlin and against civilian access to Berlin had preserved an atmosphere of crisis over Berlin since November 1958. As the situation had developed,

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<sup>1</sup>Memorandum by White (EUR) to Herter, Aug. 3, 1960, secret.

<sup>2</sup>Department of State press release 438, Aug. 9, 1960.

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however, the problem had become increasingly one of demonstrating convincingly the determination and capacity of the Western powers to maintain their position in Berlin. The paper furthermore emphasized that world public opinion had acted as a deterrent to Soviet action and that the Soviet Union itself appeared to be aware that overt aggression against Berlin could jeopardize its broader "co-existence" objectives and also involve some risk of war.

The paper pointed out that, while the threat of a separate peace treaty with East Germany had been the principal Soviet pressure tactic, recent Soviet and East German moves against Berlin indicated a new tactic. It was characterized by the attempt to deny Soviet responsibilities in Berlin and to establish "firm East German de facto control over the city" by using all possible practical and propaganda means to destroy the legal and moral basis for the Western presence in Berlin and to change the situation in the city unilaterally. According to the paper, the Soviet threat of a separate peace treaty had been subordinated to the claim that East Germany was already fully sovereign, except for certain temporary obligations of the USSR relating to the three Western garrisons in the city. Thus, "a more subtle de facto erosion" of the Western position had been substituted, and it might become difficult in the face of such "salami tactics" to demonstrate that the real issue in each minor incident was the survival of Free Berlin. On the other hand, the paper noted that, after the Allies had restricted East German travel and the Federal Republic had announced its intention to terminate the interzonal trade agreement, the Berlin situation had become "relatively quiet."

With regard to the future, the paper expressed the view that the Soviet Union would press for a summit conference to discuss proposals for some kind of interim arrangement designed to bring about a "free city" status for West Berlin. Because of all the unknown factors, the paper suggested that discussion of such new negotiations should be avoided "except in the most general terms."

The paper re-affirmed the Western view that no "acceptable and negotiable formula" had been devised yet which would solve the Berlin problem separate from a solution for Germany as a whole. It was pointed out in this connection that the unyielding Soviet attitude in any discussion of the German question at Geneva in 1959 and prior to the summit conference in 1960 had destroyed hopes that German reunification could be negotiated at

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this time. The best hope for profitable negotiations on Germany, "albeit not a bright one", according to the paper, might lie in the possibility of an agreement on basic issues.<sup>1</sup>

Session of December 16. Secretary Herter in his review of the international situation in the NATO Council Meeting of December 16 dealt briefly with the problems of Germany and Berlin. The Secretary's statements were along the lines of the background paper referred to above.

In discussing the issues of Germany and Berlin, West German Foreign Minister Brentano emphasized that the Istanbul NATO meeting of May 1960 had done much to deter the Soviet Union from taking serious steps against Berlin and that it had also effectively counteracted Soviet efforts in the spring of 1960 to single out the Federal Republic as the object of a special attack. Brentano also agreed with the American position that the countermeasures taken by the Western Powers and the Federal Republic in the fields of travel and trade against the Soviet-abetted East German activities aimed at gradually eroding the Western position in Berlin had proved to be effective. Brentano warned, however, that the alliance would undoubtedly soon be faced with new Soviet threats against Berlin as the Soviet Union was merely waiting for the accession of the new American administration. (b1) (AS)

As for future negotiations with the Soviet Union, Brentano insisted that two essential conditions had to be observed: 1) There had to be carefully prepared preliminary discussions through diplomatic channels. 2) The Soviet Union had to renounce the threat of unilateral action as a means to achieve its goals.

British Foreign Secretary Lord Home agreed with Brentano that negotiations with the Soviet Union regarding Berlin must be carefully prepared. He emphasized that only one test ought to be applied to any variation of the present arrangements relating to Berlin, namely, whether the change would guarantee the liberties of the people of Berlin as effectively as they were guaranteed

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<sup>1</sup>NATO Ministerial Meeting, Paris, Dec. 16-18, 1960, background paper NPA B-1/53, "Berlin and German Reunification", Dec. 2, 1960, secret.

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by the Western Powers. But Home also stressed that in the negotiations with the Soviet Union the West must be reasonable and appear to be reasonable before world public opinion.

French Foreign Minister Couve de Murville stated that the Soviet Union could be expected to raise two issues in 1961, namely, Berlin and disarmament. The Soviet Union, he suggested, would propose that the former problem be dealt with at a summit conference and the latter in the United Nations. Couve de Murville asserted that these would be bad procedures as neither of these problems could be dealt with in isolation but only within the context of a general improvement in East-West relations with respect to Germany and Berlin. Couve de Murville urged that the West neither appear eager to take the initiative nor give the impression that it had an inferiority complex and could be pressured into making the first concessions. (W)  
(as)

The Communiqué. The communiqué adopted at the close of the NATO Council Meeting on December 18 expressed regret over the lack of progress in the reunification of Germany on the basis of self-determination. The NATO Council also reaffirmed its declaration of December 16, 1958 on Berlin and again asserted "in the face of recent Soviet threats and harrassing tactics" the determination of the alliance "to protect the freedom of the people of West Berlin."<sup>1</sup>

#### B. Berlin Contingency Planning

##### 1. Developments in Planning

###### a. Organization

In Part III of this study, developments in the field of contingency planning were touched upon, first in connection with the possibility of future German participation in the planning, and then in the context of the review of Berlin contingency planning by the Western Governments in May 1960 in the face of Khrushchev's successful sabotage of the summit meeting. It now

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<sup>1</sup>Meeting of the North Atlantic Council, morning session, Dec. 16, 1960, Verbatim Record C-VR (60) 49, NATO secret; from Paris. tel. POLTO 869, Dec. 16; tel. 870 and 871, Dec. 17; all secret; Department of State press release 700, Dec. 19.

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seems necessary to discuss the developments in contingency planning in somewhat greater detail, particularly for the period from the abortive summit conference to the end of the Eisenhower Administration.

In accordance with the provisions of the last section of the tripartite Berlin contingency planning paper of April 4, 1959, further planning was developed by the tripartite Ambassadorial Group in Washington, the three Embassies at Bonn, the tripartite LIVE OAK Staff at Paris, the Ambassadors of the three powers at the United Nations, the military headquarters of the three powers in Berlin, and the military authorities in each of the three countries. Within the United States Government, planning was coordinated by the Interdepartmental Coordinating Group on Berlin Contingency Planning, consisting primarily of representatives of the Departments of State and Defense, which had been established by President Eisenhower's order of April 23, 1959 (see ante, Part I, p. 111). This body, originally under the chairmanship of the Deputy Under Secretary of State for Political Affairs, Robert Murphy, had adjourned on August 31, 1959 (when Murphy stated that the exchange of invitations between the President and Khrushchev had taken the edge off the Berlin crisis), and did not meet again until May 23, 1960 in the aftermath of the failure of the summit conference. After that date the Interdepartmental Coordinating Group met regularly under the chairmanship of Livingston Merchant, who had succeeded Murphy as Under Secretary of State for Political Affairs; its meetings served primarily the purpose of preparing the United States position for the tripartite Ambassadorial meetings.

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The developments in the various areas of contingency planning which had been defined in the paper of April 4, 1959 were as follows:

b. Surface Access

Preparatory Military Measures. In addition to the "quiet precautionary and preparatory measures" referred to in the report on contingency planning submitted to the Western Foreign Ministers on May 18, 1960 at Paris, mention should be made of a "Checklist of Possible Military and Non-Military Measures", issued by the United States in October 1960, in which various suggested measures were arranged in a logical and chronological sequence. Likewise in October 1960, upon General Norstad's suggestion, a basic agreement was reached to designate the United States Commandant

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in Berlin to be over-all commander of the three garrisons if the situation so warranted. Differences continued to exist among the three powers, however, over defining the situation in which designation of a single commander would become automatic.

Measures 'to be taken in case of Soviet Withdrawal from Control Functions. A draft note to be sent to the Soviet Government by the three Governments in the event of a Soviet withdrawal from control functions was circulated for tripartite consideration in July 1960 but was not approved until April 1961. A draft of a public statement to be made by the three powers in the event of such a withdrawal was approved by the three Governments in July 1960. In the matter of procedures at the checkpoints with regard to the identification of Allied vehicles and continuation of Allied traffic, there were no new developments going beyond the tripartitely agreed procedures of September 22, 1959 (see ante, Part II, pp. 107-109), which were also mentioned in the contingency planning paper submitted at Paris, May 18. The idea of substituting Allied personnel for Soviet personnel withdrawn from the checkpoints at the Autobahn was considered by the three Governments but not adopted as part of contingency planning.

Probe of Soviet Intentions and Use of Military Force on the Autobahn. There were important developments with respect to a probe of Soviet intentions and the closely related problem of reopening access on the Autobahn. In June 1960 General Norstad approved plans drawn up at his request by the Commander of the British Army on the Rhine providing for a company-sized tripartite probe force (FREE STYLE). Norstad recommended a training exercise for such a probe force and also proposed that there be assembled a tripartite force (TRADE WIND) to reopen access to Berlin if a decision for such action were taken by the Governments. The United States thereupon urged the British and French Governments to authorize assembly and training of a battalion-sized combat team for operation TRADE WIND. The French agreed to these two training operations provided the greatest secrecy and discretion were maintained. British concurrence, however, was not obtained until January 1961 after a "cover plan" for the operation that was acceptable to the British had been devised. To the American request that planning be undertaken also for a larger, division-sized effort to reopen access, the British replied that no force larger than a battalion would be needed for a probe if it were backed by the alternate threat of nuclear power.

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c. Air Access

Soviet Withdrawal from the Berlin Air Safety Center (BASC). Procedures to be followed in the event of a Soviet withdrawal from the Berlin Air Safety Center (BASC) were approved by the three Governments in July 1960. The three Embassies continued discussions regarding the statements to be made by the three Allied Controllers in BASC in the event of a withdrawal of the Soviet Controller and/or Soviet attempts to introduce an East German Controller into BASC. Instructions to the three Western Controllers for dealing with such a situation were tripartitely agreed in February 1961. According to these instructions, each of the three Western Controllers would inform the Soviet Controller that aircraft of his country "would continue to fly in the Berlin corridors and control zone in the normal manner" and that his Government would hold the Soviet Government responsible "for any interference with the safety of these aircraft while they are in the corridors and in the control zone." The instructions also contained guidance for further action by the three Controllers in the event an East German tried to replace the Soviet Controller in the Berlin Air Safety Center.

Berlin Airlifts. On the basis of tripartite and American studies undertaken in 1959 concerning the possible establishment of a "garrison airlift" to transport Allied personnel and material in the event of an interruption of Allied surface traffic, a tripartite "Garrison Airlift Plan" was approved by General Norstad in May 1960. At the same time General Norstad approved also a "Civil Airlift Plan" providing for the substitution of military for civil aircraft to maintain air services to Berlin if civil aircraft should cease operations.

Mention ought to be made in this connection of two earlier plans which also dealt with "airlift problems". One was a tripartite plan (TRIPLE PLAY) providing for a military airlift by the United States, the United Kingdom, and France to evacuate non-combatants and selected aliens from West Berlin during a local or general emergency. The second was the "Quadripartite Berlin Airlift Plan" (QBAL).

QBAL envisaged a quadripartite Berlin airlift, comparable to the airlift operation of 1948-49, to support the West Berlin population and garrison in the event of a complete blockade of surface access. This plan, originally developed in 1954, had subsequently become associated with Berlin contingency planning.

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But on October 28, 1959 the United States Joint Chiefs of Staff advised General Norstad that this association of the Quadripartite Berlin Airlift Plan with Berlin contingency planning conflicted with current United States policy which stipulated that reference to a Berlin airlift be avoided "in order to preclude giving USSR the indication that the United States would institute an extensive airlift rather than aggressively defend our legal rights of access to Berlin." As a result of this directive by the Joint Chiefs, the subject of a Quadripartite Berlin Airlift Plan was removed from LIVE OAK planning.

The point which the Joint Chiefs of Staff wished to make was that the United States was opposed to considering an airlift as one of the agreed tripartite responses to any Soviet-East German attempt to block Allied surface access to Berlin. This point was brought out even more clearly in an instruction sent by the Department to Bonn on November 30, 1959. It suggested that a passage be inserted in the text of the Quadripartite Airlift Plan stating: "Although it should be understood that no decision has been taken to initiate a full-scale airlift in the event of a Soviet-GDR blockade, the reasonable course of action is to be prepared to initiate such airlift should the situation ultimately dictate this decision. QBAL planning is based on this understanding and such planning is not to be construed as an indication of an advance decision or commitment on the part of the Four Governments to implement".

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(c)(5)

Interference with Flights in the Berlin Air Corridors. In May 1960 General Norstad approved the tripartite plan for the maintenance of air access to Berlin in the event of direct interference by the Soviet Union or the East Germans with flights in the Berlin air corridors and Control Zone. This tripartite operational plan (JACK PINE) provided for coordinating the air operation of the civil airlift, garrison airlift, and air evacuation of non-combatants (TRIPLE PLAY), as well as for tripartite air operations to maintain air access through the three air corridors. Operation JACK PINE also provided for centralized operational control over the forces engaged in air evacuation and maintaining air access.

After the British, in November 1960, had presented their comments which dealt primarily with the rules for engagement by fighter aircraft, General Norstad informed the United Kingdom Defense Staff in January 1961 that these comments had been discussed by the LIVE OAK Staff and by the tripartite planning

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January 1961, even though many problems relating to contingency planning evolved only during the span of the new administration, especially in the crisis situations of 1961. But before ending this account of contingency planning during the period of the Eisenhower administration, it seems advisable to take up the problems of German and NATO participation and also to deal with some fundamental criticism of contingency planning expressed in the Department in the period between the summit conference and the coming into office of the new administration.<sup>1</sup>

2. The Question of German Participation in Berlin Contingency Planning

German Dissatisfaction Over Allied Reactions to the Aide-Mémoire of April 11. The question of German participation in Berlin contingency planning has already been discussed briefly in an earlier portion of this study. The Germans, after having been given a modified version of the tripartite contingency planning paper of April 4, 1959 in the Quadripartite Working Group meeting of March 9, 1960, expressed their willingness to cooperate in further contingency planning in a memorandum handed to the three Allied Powers on April 11, 1960 (see ante, Part III, p. 59). (b1) (a5)

Following the decision of the Western Foreign Ministers at their meeting at Paris on May 18 that the problem of a possible harassment of civilian access should be studied jointly with the Germans, the tripartite Ambassadorial Group invited German

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<sup>1</sup>Interdepartmental Coordinating Group on Berlin Contingency Planning, "Current Status of Berlin Contingency Planning" (BERCON D- 2c), July 22, 1960, updated June 23, 1961, top secret; Dr. H. H. Lumpkin, LIVE OAK: A Study in Thirty Months of Combined Planning, February 1959-September 1961 (Headquarters United States European Command EUCOM TS Ser:4804), top secret, ch. II; Interdepartmental Coordinating Group on Berlin Contingency Planning, Record of Meeting, Aug. 31, 1959 (BERCON R-3), secret; Ambassadorial Group on Berlin Contingency planning, Record of Meeting, Dec. 6, 1960, secret; "Air Access-Possible Soviet Withdrawal From Berlin Air Safety Center" (BERCON TRI D-11b), Feb. 7, 1961, secret; Msg. JCS 967551, Joint Chiefs of Staff to USCINCEUR (Norstad), Oct. 28, 1959, top secret; to Bonn, airgram G-122, Nov. 30, 1959, secret; Documents on Germany, 1944-1961, pp. 592-593.

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planning, Ambassador Herwarth had drawn the British Foreign Secretary's attention to the fact that Secretary Herter had indicated to the German Ambassador in Washington that German exclusion from Berlin contingency planning was due to British and French opposition. According to the representative of the British Embassy, Foreign Secretary Lloyd now wondered whether the American position in this matter had changed.

Hillenbrand declared that the United States had indeed been trying to obtain agreement on fuller German participation in contingency planning and that, as a result of these efforts, the Germans had been informed of the tripartite contingency plans. He pointed out that German participation was especially necessary in view of the discussions of economic countermeasures against harassment of civilian access and suggested that German participation ought to go considerably farther than it had to date. Hillenbrand emphasized, however, that the United States had not discussed unilaterally with the Germans any aspect of contingency planning which had not been tripartitely agreed to be suitable for this purpose.<sup>1</sup>

(b1)  
(A5)

The American position which he had thus set forth to the British Embassy representative Hillenbrand repeated in a conversation with the Counselor of the French Embassy, Jean-Claude Winckler. Winckler declared that the French were willing to associate the Germans with certain aspects of contingency planning, such as economic countermeasures, but not with military planning. Winckler said in this connection that the French were willing to go ahead with the study of economic countermeasures in accordance with section IV of the contingency planning paper of May 18 and to consider the extent of German participation in such an operation.<sup>2</sup> These discussions did eventually take place as described ante, pp. 36-40.

At the meeting of the Tripartite Ambassadorial Group on September 16 Merchant discussed West Germany's discontent with its role in contingency planning and stated that the United States

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<sup>1</sup>Memorandum by Hillenbrand (GER) of conversation with Carter (British Embassy), July 22, 1960, secret.

<sup>2</sup>Memorandum by Hillenbrand (GER) of conversation with Winckler (French Embassy), July 27, 1960, secret.

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representatives into its meeting of June 7 and informed them that the three Embassies in Bonn would soon approach the German Foreign Office regarding a joint study of economic counter-measures.<sup>1</sup>

In the course of a conversation on June 9, Ambassador Grewe told Secretary Herter that the meeting of June 7 into which he and the other German representatives had been called to be informed of decisions already taken was not the kind of consultation regarding contingency planning which the Federal Republic had hoped for. While emphasizing that the Federal Republic did not deny tripartite responsibility for Berlin, Grewe declared that his government would like to participate more fully in the discussion of subjects which were of such vital concern to the Federal Republic. He therefore expressed the hope that future German participation would be more adequate.

Secretary Herter said that he assumed that Grewe knew what the American position in this question was. The Secretary remarked in this connection that "the difficulty was essentially with our partners." After some discussion concerning the need for a further study of the problem of harassment of civilian access to Berlin and of countermeasures against this threat, the Secretary and Grewe agreed that it would be a good thing if the Four Power Working Group on Germany reconvened and that it might then take up the various aspects of the problem of a separate peace between the Soviet Union and the GDR.<sup>2</sup>

On July 22, P. L. Carter, Counselor of the British Embassy in Washington, told Hillenbrand that Herwarth, the German Ambassador in London, had expressed to Foreign Secretary Lloyd on July 18 his Government's unhappiness over the small extent of German participation in Berlin contingency planning and had specifically referred to the fact that the Germans were asked only to attend the last portion of the meeting of the tripartite Ambassadorial Group on June 7. After stressing that the Federal Republic was interested in full participation in Berlin contingency

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<sup>1</sup>Memorandum by McFarland (GER) of meeting of Ambassadorial Group on Berlin Contingency Planning, June 7, 1960, secret.

<sup>2</sup>Memorandum by Hillenbrand (GER) of conversation between Herter and Grewe, June 9, 1960, secret.

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considered it important to bring the Germans into contingency planning but to do so without impairing tripartite responsibilities. Merchant did not fail to point out that much of the planning that remained to be done, especially with regard to countermeasures, could be completed only with German participation. Finally, Merchant suggested that the best way to initiate closer German cooperation in the field of contingency planning was to reply to the German aide-mémoire of April 11. Accordingly, he submitted an American draft of such a reply for tripartite consideration.<sup>1</sup>

Proposal for Reply to the German Aide-Mémoire of April 11.  
The American draft reply stated that cooperation by the Federal Republic would be desirable and in some cases indispensable for the implementation of certain aspects of contingency planning. The paper explained that the contingency planning paper of April 4 had assigned planning responsibilities to tripartite bodies because their terms of reference were to deal with harassment of the forces of the three powers rather than with that of the civilian population. It was obvious, however, the draft reply stated, that some aspects of planning for measures to be taken after forcible obstruction of access of the three powers would be of immediate concern to the Federal Republic and other members of NATO.

The draft reply declared that the Federal Republic should directly participate--inasmuch as it was compatible with special tripartite responsibilities in Berlin--in most aspects of contingency planning which remained to be completed. In this connection it reminded the Germans of all the information, consultation, and cooperation between representatives of the three powers and the Federal Republic in Washington, Paris, and Bonn with regard to various aspects of contingency planning, especially plans for a "garrison airlift" and "civil airlift." Moreover, planning regarding the interruption of civilian access had been initiated in Bonn, and these discussions would also undoubtedly contribute useful suggestions for economic counter-measures against the Soviet Union and East Germans in the event of an interruption of Allied access.

<sup>1</sup>Record of Meeting of U.S., U.K., French Tripartite Planning Group on Berlin Contingency Planning, Sept. 16, 1960, secret.

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In the draft reply, the Germans were also informed that planning for the procedures to be followed in case of Soviet withdrawal from control functions at the Autobahn checkpoints and at the Berlin Air Safety Center had been completed and approved by the three Governments; and that the essence of these plans was contained in a public statement, to be made at the time of Soviet withdrawal from control functions, a copy of which was attached to the reply. Finally, the reply declared that the suggestion made in the German aide-mémoire of April 11 regarding a message from the President to the Soviet Premier would be taken into consideration.<sup>1</sup>

A representative of the French Embassy indicated to Hillenbrand on November 3 that the French were willing to accept the American draft reply to the German aide-mémoire on contingency planning but that they wished to see a passage added which would stress the importance of secrecy in dealing with this subject. The French, he said, felt such a reminder to be desirable "in view of the bad German record on leaks."<sup>2</sup>

After a passage concerning the need for secrecy had been added to the text of the draft aide-mémoire, Merchant stated at the meeting of the Tripartite Ambassadorial Group on December 6, that the French had now given their approval to the draft reply to the German aide-mémoire on the understanding that the Germans were not to participate in all aspects of planning. After the British had indicated their acceptance of the draft "with the French gloss", it was agreed that the final text would be drafted by a working group.<sup>3</sup>

### 3. NATO Participation in Berlin Contingency Planning

The NATO Council had first been given information on tripartite Berlin contingency planning in April 1959 during the NATO Ministerial meeting in Washington (see ante, Part I, p. 112).

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<sup>1</sup>American draft aide-mémoire, unsigned, Sept. 8, 1960, secret.

<sup>2</sup>Memorandum by Hillenbrand (GER) of conversation with Winckler (French Embassy), Nov. 3, 1960, secret.

<sup>3</sup>U.S., U.K., French Tripartite Planning Group on Berlin Contingency Planning, Record of Meeting, Dec. 6, 1960, secret.

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to the NATO Council. Finally, Norstad informed Mountbatten that he had established a LIVE OAK Advisory Group in the |

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4. Intradepartmental Criticism of Important Aspects of Contingency Planning -

While specific aspects of Berlin contingency planning were developed, as described in the foregoing, in the final phase of the Eisenhower administration, two high-ranking officials of the Department took a critical look at some of the fundamental principles and aspects of existing contingency planning.

Critical Comments by Bohlen, Special Assistant to the Secretary. On August 2, 1960, Charles Bohlen, then Special Assistant to the Secretary, submitted to the Secretary a memorandum on some current problems in U.S.-Soviet relations in which he dealt primarily with Soviet intentions regarding Berlin.

Bohlen's main criticism was directed at the elimination from Berlin contingency planning of a military probe in the air in response to a blocking of ground access to Berlin. He felt that insufficient attention had been given to the desirability of having a military probe done by air. Bohlen realized that there was concern in the Department of Defense that any consideration of a probe by air might indicate willingness to accept an air-lift rather than to attempt opening the land routes to Berlin by military force. But Bohlen saw no reason why the United States and its allies would have to abandon their rights on the ground or their intention to enforce them simply because, in the first phase of a Berlin crisis, they chose that type of a probe of Soviet and GDR intentions which was most advantageous to them.

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Bohlen explained his position by pointing out that, if the Soviet Union turned over to the GDR all its control functions relating to Berlin access, in the air as well as on the ground, the United States would have every advantage in making a test in the air. The experience of the Berlin blockade of 1948-1949 indicated that such a test would offer the easiest way out for the Soviet Union if it so desired. Also, the United States would

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<sup>1</sup>Letter, Thurston (Embassy Paris, SHAPE/L) to Kohler (EUR), Nov. 10, 1960, top secret, enclosing SACEUR memorandum dated Nov. 7 of conversation between Norstad and Mountbatten, Nov. 4.

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have the best chance for winning a battle in the air in the event that real resistance was encountered. Moreover, air operations, by their very nature, were easier to control than shooting engagements on the ground and therefore presented less danger of an automatic progression to general war. Bohlen emphasized that the Western Powers would of course reserve their position in the matter of land communications and would not be committed merely to a renewal of the airlift. If the blocking of ground access were first limited to Allied communications but not to civilian access, the Western Powers, by operating an airlift, would gain time while world-wide measures could be put into effect. If the blockade were subsequently extended to civilian access to Berlin, there would then be a better basis for initiating a probe on the ground.<sup>1</sup>

Questioning of the Assumptions of Contingency Planning by Hillenbrand, Director of the Office of German Affairs. While Bohlen criticized the elimination from the contingency plans of an initial military probe in the air as an Allied response to the blocking of ground access, Hillenbrand, in a memorandum of September 14, 1960 addressed to Kohler, raised some fundamental questions regarding the whole series of assumptions underlying Western contingency plans. Hillenbrand approached the subject of contingency planning by relating it to "the credibility of the course of action which we propose to take under our contingency plans." It has already been shown earlier in this study that the whole problem of the credibility of American determination and ability to deal with a Soviet challenge on Berlin was a major concern of American officials in the period following the abortive summit conference.

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According to Hillenbrand, Western plans for dealing with a take-over by the GDR of control functions, currently exercised by the Soviet Union with regard to the access routes to Berlin, were based on the following fundamental assumptions:

- a) The Western Powers must be resolute and convince the Soviet Union of their resolution "to the point of willingness to resort to all-out nuclear war" should their rights of access to Berlin be progressively harassed as envisaged in the contingency plans.

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<sup>1</sup>Memorandum from Bohlen to Herter, Aug. 2, 1960, secret.

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b) If the Western Powers were resolute, the Soviet Union at some point would back away either by permitting the status quo in Berlin to continue or by agreeing to some modus vivendi acceptable to the Western Powers.

c) It was not impossible to persuade the Soviet Union of ultimate Western firmness nor inconsistent with what the Soviet Union was likely to consider the basic strategic factors in the situation.

Hillenbrand first argued that there was always the possibility that the Soviet Union might manipulate the situation in such a way as to erode slowly the Western position without precipitating a show-down. There were also other possible developments that could affect the applicability or even relevance of the existing contingency plans.

But, he pointed out, there were even more disquieting factors in the situation. State Department officers were, of necessity, limited in their knowledge of the military implications of the plans which they accepted. Yet they were not confronted with a unified military doctrine but often with conflicting schools of thought within the Defense Department that were frequently related to controversies between the military services. Moreover, sophisticated thinking on military affairs such as that expressed by representatives of the Rand Corporation took positions which explicitly or implicitly questioned the above-cited assumptions of contingency planning. These and other students of military affairs believed, according to Hillenbrand, that the so-called nuclear balance of terror was not an adequate guarantee that nuclear war would not take place. Referring to a statement made by Secretary Herter in the hearings on his nomination in 1959, to the effect that it was inconceivable that the President would involve the country in all-out nuclear war unless the country itself was in danger of all-out nuclear devastation, Hillenbrand raised the question whether such restraint was "actually consistent with the assumption of our contingency plans."

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Hillenbrand referred to the fact that it had proved to be impossible in the framework of LIVE OAK to arrive at any agreements beyond the planning stage. The British and French proceeded on the assumption that the use of force to reopen access would inevitably face the Western Powers at an early stage with the prospect of taking all necessary measures to engage in global war. The United States, he stressed, had not yet committed

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itself on this point, and the whole problem was tied to the "ambiguities of the NATO framework", especially regarding the authority for starting a war. The assumption, however, was that at some point a pre-emptive strike would have to be considered. All the plans worked out by LIVE OAK and by the United States Joint Chiefs of Staff for dealing with the response to Soviet obstruction of Western access to Berlin envisaged limitation to conventional means of warfare only "until the ultimate decision is taken."

From here, Hillenbrand proceeded to the core of his argument. Using the concept of "active deterrence", defined as the use of strategic threats to deter an enemy from engaging in provocative acts other than direct attack on the United States itself, Hillenbrand raised the question whether the United States had the active deterrent capacity for the type of action envisaged for reopening access to Berlin. "At a certain point we may be faced with the hard decision either to desist from efforts to reopen access or to employ nuclear means." Hillenbrand pointed out that it was generally agreed that a thoroughgoing active deterrent required "ambitious, complementary defense measures for cities." In this connection he cited a statement made in a recent article on this subject, namely, that the more reliance there was on strategic air power "rather than on other military capabilities to deter provocations that stop short of direct assault on the U.S., the greater the need for these expensive complementary measures." In Hillenbrand's view, all this was part of the problem of credibility "which our contingency planning takes only dimly into consideration."

Hillenbrand also wondered whether the United States was not relying on an optimistic forecast of Soviet behaviour in the face of American threats. It was more likely that the Soviet Union would not accept the credibility of American warnings because it did not see the United States taking those measures which on the basis of rational calculation would seem indicated as the essential requirements of the strategy which the United States was allegedly pursuing. Further factors which, in Hillenbrand's view, reduced the credibility of the Western position on Berlin might be Soviet confidence in their ability to defeat any conventional Western reaction to their provocations, and Soviet conviction that the British and even the French were likely "to exercise a strongly restraining influence against any use of force."

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Summing up, Hillenbrand declared that making the assumptions underlying Western contingency planning credible to the Soviet Union required, "at a minimum, both a noticeable heightening of efforts to protect our retaliatory capacity and a large-scale increase in civil defense measures." A large increase of general defense expenditures would also have its effect; and it would perhaps be an effective deterrent to convey to Khrushchev "in a serious manner, at the highest possible level", that continuation of the Soviet threat on Berlin would inevitably result in a massive mobilization of America's resources to strengthen its defenses "which neither he nor we basically desire."

In presenting his memorandum, Hillenbrand made it clear it was not his intention to state definite conclusions but rather to raise a number of "troubling questions" about the validity of some of the assumptions which had guided Western planning on Berlin.<sup>1</sup> Some of these questions, particularly as they related to the coordination of Berlin contingency planning with nuclear strategy and NATO planning, soon were to confront the Western Powers in the crisis situations of 1961.

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<sup>1</sup>Memorandum from Hillenbrand (GER) to Kohler (EUR), "Berlin Contingency Planning and Nuclear Strategy", Sept. 14, 1960, secret.

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